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General Assembly
Fifty-first Session

Official Records

65th plenary meeting
Tuesday, 26 November 1996, 10 a.m.
New York

President: Mr. Razali Ismail . . . . . (Malaysia)

The meeting was called to order at 10.10 a.m.

Agenda item 48 (*continued*)

Strengthening of the United Nations system

Mr. Gorelik (Russian Federation) (*interpretation from Russian*): The current stage of the United Nations reform efforts started in an atmosphere of high expectations that, unfortunately, have since been justified to only a small degree, if at all. A growing number of pessimistic voices have been heard in this respect.

Our delegation, however, does not share those fatalistic views. The General Assembly Working Groups, including the Open-ended High-level Working Group on the Strengthening of the United Nations System, have made a useful contribution to drawing up a road map of action for the revitalization and renewal of the Organization. They have identified the main issues that are resolvable and have presented alternative views. In many cases, they have determined ways to bring about rapprochement and have highlighted converging interests among those States on the so-called "middle ground".

From the outset, the Open-ended High-level Working Group on the Strengthening of the United Nations System had to work while struggling with the heavy burden of an overly broad mandate that threatened to turn it into a competitor of the other Working Groups. The Group managed to find an appropriate niche and to focus mainly on General Assembly and Secretariat issues and other related topics. However, the result has been that the mandate enabled the Working Group to maintain its focus on and seek solutions to a wide range of issues, from "purging" the General Assembly agenda to studying the growing role of non-governmental organizations in United Nations activities; from the optimal way of submitting the Secretary-General's reports to the General Assembly to the administrative culture of the Secretariat; and from the relationship between the General Assembly and the Security Council to the configuration of the uppermost strata of the Secretariat structure.

In our view, the potential and interest of this Working Group lie primarily in the fact that, more than any of the others, it has provided access to comprehensive, intersectoral themes.

In drawing interim conclusions, we would say with cautious optimism that the Working Group is in broad agreement on how to restructure the Secretariat in terms of a more rational organization of its work, modern management techniques and increasing cost-effectiveness and accountability. At the same time, we, like other delegations, are dissatisfied with the manner in which the principle of equitable geographic distribution has been observed in relation to high-level Secretariat posts. We believe that a recommendation to abide by that principle should be reflected in the final conclusions of the Working Group.

The improvement of the United Nations budgetary processes and mechanisms is an important yet frequently

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underestimated aspect of the topics considered by the Group, although it relates directly to United Nations policy issues. The budgetary process directly reflects, in particular, the cooperation between the General Assembly and the Secretariat, two of the main United Nations organs. Moreover, it is important to consider the question of how the Working Group can revive the basic Charter provision stipulating the consideration of administrative budgets of the specialized agencies by the General Assembly.

The Open-ended High-level Working Group on the Strengthening of the United Nations System has begun to develop coherent approaches to the interrelated issues of management, budgetary process and control functions within the Organization. Improved cooperation between the Secretariat and the intergovernmental mechanisms remains one of the major goals. Programme activity should be given high priority.

With regard to the Group's working methods and its final "product", we believe that the current narrow focus should be retained, despite a temptation to reach for new, promising themes and even though the title of the Working Group apparently suggests a comprehensive agenda. Concrete, albeit humble, results should first be attained in areas already broached. A series of such attainable agreements could form the basis of a relevant General Assembly resolution, hopefully at the fifty-first session of the General Assembly. There should be no strict timetable for the formulation of such a resolution.

In our view, the Group should in the future address topics directly related to the functioning of the United Nations specifically as a system. The roles of the Chairman of the Working Group, Mr. Razali Ismail, and his two Vice-Chairmen, Ambassador Shah and Ambassador Biørn Lian, will be extremely important in every respect. We are convinced that they will have the energy, perseverance and flexibility to stimulate a rapprochement of views and to focus the Working Group's attention on substantive activities — on the forest, not the trees.

Much will depend on the timetable of the meetings. It is not an easy task to establish a timetable whereby the five Working Groups of the General Assembly do not step on each other's heels or produce an excessive workload at the Missions of the Member States that are truly interested in the success of reform. Nevertheless, it must be accomplished. There is a view that, as of January 1997, it would be best to concentrate on the activities of the Working Groups on an Agenda for Peace and on an Agenda for Development. There is logic to that view. If that choice is made, we feel that the informal meetings and consultations of other Groups, including that on the strengthening of the United Nations system, should in any case be continued at the beginning of next year to maintain the momentum already gained.

Mr. Avalle (Argentina) (*interpretation from Spanish*): On behalf of the Argentine people, allow me, as other speakers did yesterday, to share in the concern and anguish of the people of Honduras, more than 30,000 of whom — as we have heard — have been affected by the grave situation following upon the hurricane in their country.

My delegation is participating in this debate to reiterate its commitment to the Open-ended High-level Working Group on the Strengthening of the United Nations System. First, let me say that the progress made by that Group must be attributed to the dedication of the co-Vice-Chairmen at the fiftieth session, the Ambassador of India, Mr. Shah, and the Ambassador of New Zealand, Mr. Keating.

We are convinced that, under Mr. Razali's chairmanship and with the assistance of the Group's new co-Vice-Chairmen, Ambassador Shah of India and Ambassador Biørn Lian of Norway, the Working Group will conclude its work successfully.

We believe that the task before us is of great importance to the Organization. The need to reform and strengthen the United Nations system at the intergovernmental level and within the Secretariat is reaffirmed on a daily basis.

The achievements of the consultations chaired by Ambassador de Rojas, which resulted in the adoption of resolution 50/227, could be appreciated during the current Economic and Social Council session and in the Second Committee's work at the fifty-first session of the General Assembly. We believe that these achievements show the importance of reform processes which lead to real change in the work of the Organization. The success of the reform process which led to the adoption of resolution 50/227 was largely due to the fact that from the very outset the participants had a clear idea of the fundamental principles that should guide their deliberations.

My delegation believes, therefore, in the need to reiterate the principles that should guide negotiations which seek to revitalize and strengthen the Organization

in its totality. We believe that the reform process should be based on, among others, the following principles. First, the reform of the United Nations must result from negotiations based on consensus. Secondly, the strengthening of the Organization should be the ultimate objective of the reform process. Thirdly, the reform must be based on Member States making a firm political and financial commitment to allow the Organization to discharge its duties. Fourthly, the savings realized from the improved efficiency and restructuring of the work of the Organization should be reinvested in the system. Fifthly, the reform should not seek to reach decisions on the scope of the administrative competence of the Secretary-General. Sixthly, the task of the High-level Working Group has an independent intrinsic value of its own and should not be conditional upon the progress of negotiations in other groups or forums. This list of basic principles should be supplemented by others of a more operational nature, such as the importance of transparency in the functioning of the Organization and in the selection of the senior staff of the Secretariat.

The General Assembly was one of the main subjects of the discussions in the Working Group of which India and New Zealand were the Vice-Chairmen. From my delegation's point of view, the purpose of these negotiations should be to try to change the structure of the General Assembly debates. We believe, for example, that for some subjects the debate in the Plenary should be more interactive. This would no doubt help in the revitalization of the programme of work, which could in many cases include replies from the Secretariat to the questions raised in some of the statements.

Similarly, for several of the established agenda items, the Assembly might consider the introduction of a more focused and segmented debate, based on the choice of a series of subjects that might be of sufficient interest in attracting high-ranking officials, as now happens, for example, in the Commission on Sustainable Development.

As regards the structure of the General Assembly, we do not believe that it is essential to change the current division of labour between the committees. However, one might consider, for example, reviving the fairly recent practice of holding joint meetings of the committees when the nature of the subject matter so demands. We also believe that strengthening the office of the President of the Assembly would give increased dynamism to the image of the United Nations and make it easier for the Assembly to interact with other organizations, such as the Bretton Woods institutions. Finally, in a world in which participatory democracy is one of the guiding principles of our political systems, we would argue for the greater participation of civil society, such as that of non-governmental organizations, in the work of the General Assembly and its Main Committees.

The restructuring of the Secretariat is fundamentally the administrative responsibility of the Secretary-General. In this context, we consider that reform should lead to the establishment of a more rational and dynamic structure of command and execution, in keeping with the importance of the mandate and complexity of the tasks this Organization must carry out.

Allow me to reiterate the importance of strengthening the Organization's coordinating functions. In this context, we are impressed with the changes introduced at the last session of the Economic and Social Council, which give the Council a supervisory role over the work of the Administrative Committee on Coordination (ACC).

By way of conclusion, the United Nations is being asked to play a significant role in the international system of the twenty-first century. In this context, one of the major challenges facing us at the dawn of the new millennium is to establish the terms of reference and the necessary mechanisms to ensure that the Organization can accomplish the objectives set forth in the Charter.

Mr. Kharrazi (Islamic Republic of Iran): Since the inception of the United Nations its reform has always been under discussion. During the cold war, due to the circumstances prevailing at the time, the United Nations was not successful in achieving the objectives enshrined in the Charter. In the new era marking the end of the cold war, which created a new international environment for cooperation among States and people around the world, the role of the United Nations system in dealing with world issues has become more than ever unquestioned. Therefore, if the Organization is to become more responsive to the rapid and fundamental developments in international relations, it must be reformed and revitalized. There is a dire need to strengthen the United Nations in order to seize the opportunities and to meet the inevitable challenges in the political, economic and social fields — particularly in the field of development and the economic situation of the developing countries.

My delegation, for these very reasons, attaches great importance to the work of the Open-ended High-level Working Group on the Strengthening of the United

Nations System, among other groups with a mandate to reform different aspects of the United Nations system. To this end, my delegation has actively participated in these working groups' deliberations with the expectation that they will succeed in finalizing their work as early as possible and achieve tangible results. Needless to say, the success of any effort in reforming and revitalizing the United Nations system depends entirely on the political will and the commitment of all the Member States to a strengthened and effective United Nations.

As far as the work of the Open-ended High-level Working Group on the Strengthening of the United Nations System is concerned, my delegation would like, very briefly, to touch on some of the issues it is considering. First, any effort to strengthen, revitalize or reform the United Nations system should maintain and promote the basic principles of the Charter, particularly the principles of equal sovereignty of all States and effective and full participation of all Member States in the United Nations decision-making process, as well as the principle of maintaining transparency and democracy in the Organization's work.

Secondly, the strengthening of the United Nations system means revitalization, improved effectiveness and democratization of the entire system, as well as removing the existing imbalances in the Organization's work. Despite the Organization's activities in the field of development, and its success in some related aspects, it is still far from achieving its objectives in this area as defined in the Charter. Hence, the central priority in any effort to strengthen the United Nations system should be the enhancement of its role in the promotion of economic and social development.

Thirdly, the United Nations system suffers tremendously from the lack of financial resources to realize its goals and objectives, particularly in the area of development. Any effort to strengthen the United Nations system without allocating the required resources will be useless. Therefore, the provision of financial resources should be regarded as an indispensable requisite in any effort to strengthen the United Nations system.

Fourthly, our work in the Open-ended High-level Working Group on the Strengthening of the United Nations System should bring about the enhancement of the role, effectiveness and efficiency of the General Assembly as the supreme organ of the Organization, in which all Member States enjoy equal participation in the decision-making process. Therefore, there is an urgent need to enhance the role of the General Assembly in such a manner that it can effectively fulfil its functions and powers as clearly defined by the Charter of the United Nations. In this regard, the task carried out under General Assembly resolutions 47/233 and 48/264 regarding the revitalization of its work should be given due consideration.

Fifthly, regarding the consideration of the reports of the Security Council by the General Assembly, my delegation believes — as do many others — that the reports should be informative and analytical and provide a clear picture of the Council's activities to all Member States. The General Assembly should consider the reports of the Security Council in a more structured and comprehensive manner. Furthermore, the Security Council should thoroughly discuss all views presented and recommendations made during the consideration of the reports and reflect them in its future reports. Moreover, the reports of the Security Council to the General Assembly should be more frequent. In some cases, the submission of special reports to the General Assembly deserves to be considered.

Sixthly, we attach great importance to the annual reports of the Secretary-General to the General Assembly. Consideration of the report of the Secretary-General should provide an opportunity for all Member States to assess to what extent and in what manner the mandates given by the General Assembly have been implemented by the Secretariat. At the same time, it should be emphasized that only the Member States can set the United Nations priorities and objectives in the various sections.

While my delegation supports any effort to enhance the efficiency and effectiveness of the United Nations system and its Secretariat, we strongly believe that any measure taken in this respect should not be at the expense of downsizing or dismantling certain programmes or organs, particularly those related to economic and development areas.

In conclusion, my delegation once again expresses its readiness to work with you, Sir, and with other Member States in the Open-ended High-level Working Group on the Strengthening of the United Nations System in order to attain tangible and positive results.

Mr. Hosny (Egypt) (*interpretation from Arabic*): I would like to express our solidarity with the people of Honduras after the cyclone that struck that country.

My delegation participated with great interest in the work of the Open-ended High-level Working Group on the Strengthening of the United Nations System from the time of its establishment in accordance with General Assembly resolution 49/252. I wish to pay tribute to the efforts of the Ambassadors of New Zealand and India for the way in which they conducted the business of the Working Group. I would also like to thank them for the documents they prepared, which are the basis for our discussion in the General Assembly. I wish to pay tribute to the President of the General Assembly at its forty-ninth session, who gave tremendous support for the establishment of the Group. I would also like to pay tribute to the President of the General Assembly at its fiftieth session.

After 44 substantive meetings, the Working Group drew up document WGUNS/CRP.12, which reflects the status of consultations and which was submitted to the fiftieth session of the General Assembly. Although the paper does not represent agreement, it does include questions that received agreement in principle, as well as other questions that need further discussion.

My delegation is once again prepared to participate in the discussions when the Working Group resumes its work at the fifty-first session under the chairmanship of the President of the General Assembly. We will be working with other delegations to arrive at a consensus reflecting the views of Member States on the future of the United Nations, in order to find ways to attain the goals of the Charter of the United Nations.

Egypt does not consider the reform of the United Nations to be an end in itself. It is a way to correct certain situations which do not tally with the realities of our times. That is why we support efforts to improve the performance of our Organization, so that we can be in step with the modern world, on the basis of the values of the Charter and the priorities agreed to by the majority of the Member States through a democratic process.

Allow me here to express the fundamental principles on which our attitude is based with regard to this reform process. First of all, the strengthening and improvement of the United Nations are not a new idea. The process has been going forward and some achievements have been made, in various phases. However, much remains to be done — on a democratic basis — through governmental and international consultations that are reasonably transparent. I wish to reaffirm here that what is needed in this reform process with regard to the Organization is something that is not part of the mandate of the General Assembly, because the Assembly just implements the decisions of the Member States.

Secondly, the strengthening and reform of the United Nations is related to the efforts that all Member States will make, provided that certain countries do not impose their views, opinions and individual goals. This all has to be in keeping with the need to preserve the democratic nature of the United Nations, as well as the principle whereby all States are equal, in keeping with the Charter. The United Nations should not respond only to some countries, and no single vision should prevail in the Organization. What is called reform should not mean that some can resolve some problems while leaving others in a more perilous situation.

We need to gather the necessary resources to finance the activities of the United Nations for development. We believe that the solution to the financial crisis of the United Nations is closely linked to compliance with the principle of democracy. Thus, countries should not be allowed to regress in this respect.

Together with this, the United Nations should have a well-defined policy, one that respects the Charter of the United Nations. We also need to meet the priorities established by the majority of Member States in the United Nations. Similarly, we need to think about economic and social development and aim for it — especially for the developing countries.

It is therefore our duty to discuss the role that each party in the United Nations should play — the Secretary-General, the General Assembly, the regional commissions and, of course, the Security Council, the Economic and Social Council and the Bretton Woods institutions — before suggesting fundamental changes which may entail the abolition or addition of some organs or the modification of the working patterns they have followed so far.

These have made radical proposals to eliminate some bodies and to make certain improvements. Our response is that we need an international working framework reflecting our commitment to democracy within the context of international relations. We should like this framework to consist of a forum in which all can express their views. That would enable us to decide on steps that would have a positive international impact with respect to partnership. All of these measures should make it possible to strengthen international peace and security, which, after all, has been the ultimate goal of the United

Nations since it was established. It is therefore our duty to assist the General Assembly in exercising its functions in all the areas specified by the Charter, including the maintenance of international peace and security.

We must also correct other policies that seek to marginalize the role of the United Nations. We must consider in depth the strengthening of certain bodies of the United Nations, including the Security Council, in order to allow the majority of Member States to participate in the decision-making process on a democratic basis. As we know, efforts to revitalize the role of the United Nations are not new; they did not come from the present Working Group but preceded it by several years. As an example, I should like to refer to developments several years ago, in particular since the forty-seventh session, when an Ad Hoc Open-ended Working Group on restructuring and revitalization of the United Nations was convened under the co-chairmanship of the representatives of Sri Lanka and Uganda. The efforts of that Group resulted in the adoption of General Assembly resolution 47/233, which recognized the importance of the reports of the Security Council to the General Assembly. It is important that we discuss these resolutions objectively and in depth. Resolution 48/264 refers to the possibility of the General Assembly creating new bodies to facilitate the discussion of any question or any matter within the scope of the Charter and the making of recommendations on it to the Members of the United Nations or to the Security Council.

I should therefore like to express our optimism with regard to acceptance of the principle of establishing machinery to discuss the report of the Security Council in the detail that is required, and to the need for consultations on this. We appeal for a positive dialogue to continue within the Working Group that will allow it to draw up a report commanding general agreement, thereby enshrining the principle of participation in the maintenance of international peace and security.

With regard to issues relating to the Secretary-General, our ideas are clear. We must take into consideration Article 97 of the Charter, which names the Secretary-General as chief administrative officer of the Organization. This is a sensitive issue and our reform efforts in the United Nations should give due weight to the implementation of resolutions, decisions and mandates adopted by Member States that explain the role of the United Nations without departing from these principles.

The selection process for the Secretary-General is an issue that needs to be reviewed. In this context, the principle of democracy should apply, thereby giving the General Assembly greater powers and ensuring closer cooperation between it and the Security Council. We should not have to vote in the process of electing the Secretary-General. As an assembly of nations, we should take into consideration the principle of consensus. The General Assembly should not become a mere instrument to be used by some without due consideration of the legitimate interests of others.

With regard to the strengthening of the United Nations system, we must keep in mind the credibility of the Organization and the financial crisis. In this context, I would appeal to Member States to pay their contributions in full and on time. My delegation reaffirms our belief that reform of the United Nations should take place in order to allow the Organization to shoulder its responsibilities, as envisaged by the founding fathers and stipulated in the Charter. This is a noble objective, requiring cooperation in a framework of democracy and equality to ensure that the common goals of humankind are realized in the United Nations.

Mr. Kamal (Pakistan): The United Nations system is going through severe stresses and strains. This is obviously an unhappy situation and needs to be rectified. The problems besetting the Organization have not emerged abruptly, nor will they vanish overnight. The General Assembly, which is the only democratic voice of the comity of nations, has seen the gradual erosion of its central role. During the past several years, the United Nations has been facing a severe financial crisis, which continues. While the United Nations bureaucracy consumes three quarters of the United Nations budget, the economic and social sectors continue to face serious problems of diminishing resources. Despite the noble declarations produced at the global conferences, the dream of a secure and prosperous world remains elusive.

Under these circumstances, none of us can dispute the argument that reform of the United Nations system is overdue. However, a word of caution is in order. While reform of the United Nations system is one of the common objectives of Member States, it is a highly complex task that requires careful consideration and genuine consensus before implementation. Any attempt to hasten the reform process by denying Member States an opportunity fully to comprehend the consequences of decisions would be counter-productive.

Reform, of course, is an ongoing process that needs to be continuously pursued. While the issue of reform has

been on the agenda of the United Nations for the past several years, the debate on reform intensified only during the fiftieth session of the General Assembly. A number of working groups have looked at various aspects of United Nations reform and will resume their deliberations early next year. Each of these Working Groups — on the question of equitable representation on and increase in the membership of the Security Council; an Agenda for Peace; an Agenda for Development; on the financial situation of the United Nations; and on the strengthening of the United Nations system — was established by the General Assembly and therefore carries equal weight. Each has a specific mandate and cannot duplicate the work of the other Working Groups. Each is engaged in debating a set of highly complex issues.

While all issues in all the Working Groups are related to reforming the United Nations, it would be disastrous to lump them together or to force them to work under the threat of deadlines. Each of the Working Groups must function at its own pace while adhering to its own mandate. The Open-ended High-level Working Group on the Strengthening of the United Nations System was established by resolution 49/252, with the following mandate: first, to undertake a thorough review of various studies and reports on subjects relating to the revitalization, strengthening and reform of the United Nations system; secondly, to specify, by consensus, those ideas and proposals for the purpose of revitalization, strengthening and reform of the United Nations system; and, thirdly, to perform its task without in any way duplicating or impeding the work of other groups.

The members of the Security Council have listened carefully to the proposals made in the debates on the Council's report in the Assembly in recent years as well as in deliberations held elsewhere in the Organization on how the work of the Council can be made more transparent and more accessible to non-members of the Council. I have no doubt that those members fully recognize the need for a thorough consideration of those proposals and others that are likely to be expressed today as part of the effort to promote efficiency and transparency in the work of the Council. Through such an approach, the opportunity for Member States to contribute to the work done on their behalf would be enhanced and thereby facilitate greater interaction between the Assembly and the Council.

In this regard, over the past year the Informal Working Group of the Security Council concerning the Council's documentation and other procedural questions, established in June 1993, has continued to meet regularly and a number of steps have been taken following recommendations by that Group. These have built upon the foundation laid in the past few years.

Thus, aware of the need for greater transparency, the Security Council on 28 March 1996 issued a presidential statement (S/PRST/1996/13) that sets out the procedures to improve the arrangements for consultations and exchange of information with troop-contributing countries. The issuance of the statement reflects not only the Council's readiness to act in the light of practical experience, but also its recognition of the need to respond to the views expressed by the Members of the Organization.

In the same vein, in a note dated 24 January 1996 the members of the Council indicated their agreement that the Chairman of each sanctions committee should give an oral briefing to interested Members after each meeting. That agreement is indeed consistent with the steps that have been taken in recent years to promote transparency in the procedures of the sanctions committees.

Again in January 1996, as part of the effort to improve the documentation of the Council, a note by the President was issued regarding the Council's decision to remove four issues from the list of matters of which the Council is seized.

During the period under review, there has been increased recourse to open debates, in particular at an early stage in the Council's consideration of a subject. By highlighting the concerns of the general membership on issues before the Council, such open debates have been invaluable in facilitating the work of the Council. In addition, briefings by the Council presidency for non-members of the Security Council has continued and has become an established practice.

At the same time, the members of the Council remain cognizant of the wish expressed by Members of the Organization to improve the format and nature of the report of the Security Council. The Informal Working Group on documentation and other procedural matters has continued to deliberate on this issue.

As indicated in its Introduction, the Security Council's report, as currently constituted, is intended as a guide to the activities of the Council during the period covered. Therefore, it is not intended as a substitute for the official records of the Security Council, which provide a more substantive account of its deliberations. Thus, the report should be read in conjunction with other

official documents of the Council, to which it constitutes a reference guide.

In conclusion, I am confident that the members of the Council will listen attentively to the debate we are holding today, to the comments made and the ideas raised. I remain hopeful that, over the course of the next year, we may witness further steps that will contribute to enhancing the work of the Security Council, as well as its effectiveness and transparency.

Mr. Zlenko (Ukraine): There is no need to go into detail to explain the reasons why any issue concerning the activities of the United Nations Security Council attracts such great attention on the part of the Member States of the United Nations.

First, in accordance with Article 25 of the United Nations Charter, we all agree to accept the decisions of the Security Council. Secondly, pursuant to the same Article, we all agree to carry out the decisions adopted by the Council. In other words, those decisions are mandatory for Member States. That is why we are not indifferent to the methods by which decisions are taken in the Council and the implications such decisions will have for any Member State.

Last but not least, we all consider membership in that authoritative body to be of the utmost importance and a great honour for any Member State. The proof of this is reflected in the growing competition among the Member States in practically every regional group that we have witnessed in recent years.

It goes without saying that the work of the Security Council has become more transparent and that its procedures have become more relevant and its methods more satisfying and responsive to the demands of the general United Nations membership. The report so accurately and aptly presented by the President of the Security Council, Ambassador Wisnumurti of Indonesia, adequately reflects those facts.

At the same time, while thoroughly studying the content of the report, we have been trying to find out whether or not, or to what extent, the Security Council took into account all the critical notes, general ideas and practical suggestions that were expressed by the Member States at the fiftieth session of the General Assembly.

Unfortunately, my delegation has located no sign in the report of any positive reaction to those notes, ideas and suggestions. Member States are not made aware of the results of the activities of the Security Council's Informal Working Group concerning the Council's documentation and other procedural questions in this sense. In our opinion, members of the Security Council should have paid more attention to constructive proposals that would have not only improved its working methods but that could also save money. The latter consideration is of special importance in the context of the Organization's current financial crisis.

Members of the Security Council, and first of all the permanent members, are not very enthusiastic about working out updated and consolidated rules of procedure for that important body, notwithstanding the fact that they would be the first to benefit from them.

An objective and unbiased examination shows that the so-called provisional rules of procedure of the Security Council have ceased to be the Council's procedural guidelines in its deliberations. I shall cite just one example. At present, the process of working out decisions in the Security Council is concentrated in so-called informal consultations, which are not even envisaged in the provisional rules of procedure. My delegation is not against informal consultations, as such. But the current working methods of the Council have serious procedural and financial implications. Thus, Security Council members benefit from interpretation services, which, according to the provisional rules of procedure, are to be provided only during meetings. If informal consultations are interpreted as meetings in private, then a verbatim record, albeit confidential and in a single copy, must be prepared, and the President of the Council must issue a communiqué of that meeting through the Secretary-General.

Mr. Kamal (Pakistan), Vice-President, took the Chair.

During the fiftieth session, the Working Group focused mainly on the reform of the General Assembly and the Secretariat. In May 1996, the General Assembly decided to transfer four additional items to the Working Group. This decision was taken by consensus, and the guidelines were clear. We therefore agreed that the Working Group could proceed to deal with these specific items also.

The Working Group's report to the General Assembly at its fiftieth session, contained in document A/50/24, indicates that while the progress made by the

Working Group was severely limited, the exchange of views produced a better understanding of the issues. We are happy to see that the Working Group remained within the parameters set by resolution 49/252 and resisted the temptation to assume any over-arching role vis-à-vis the other working groups of the General Assembly.

The issues before the Working Group, particularly the task of strengthening the role of the General Assembly in the United Nations system and the reform of the Secretariat, are extremely important and deserve to be followed up with utmost attention. The General Assembly is the highest political organ of the United Nations and has special significance for the great majority of Member States. It is the only organ where all Member States are duly represented. It should therefore be the centre of gravity of this Organization. We should devise ways and means for improving its performance and credibility. We should aim at restoring to it the prestige it deserves and once had. The Assembly's role, even in matters relating to international peace and security under Article 11 of the Charter, its prerogative with regard to the budget of the United Nations and its role in appointing the Secretary-General, require further in-depth discussions now more than ever before.

Next year the Working Group should focus on reform of the Secretariat. In our statement on this subject, we have been highlighting some of the problems which require deeper examination and discussion. Despite the difficulties, our efforts should be aimed at giving the United Nations a Secretariat which meets the highest standards of efficiency, competence and integrity, so that it shines as a beacon worthy of emulation by one and all.

It is clear that the Working Group on the Strengthening of the United Nations System has an extremely important and heavy agenda. It is far from having completed it. Adding further to the agenda would thus be neither in conformity with its mandate nor justified. If we wish to achieve genuine reform and not mere cosmetic change, we should exercise due caution and care in dealing with this, as with other issues of reform.

The President: We have heard the last speaker in the debate on this item. We have thus concluded this stage of our consideration of agenda item 48.

Agenda item 11

Report of the Security Council (A/51/2 and Corr.1)

The President: I call on the President of the Security Council, Mr. Nugroho Wisnumurti, to introduce the report of the Security Council.

Mr. Wisnumurti (Indonesia, President of the Security Council): I am honoured and privileged to have this opportunity to address the General Assembly as President of the Security Council to introduce the annual report of the Council covering the period 16 June 1995 to 15 June 1996.

The members of the Security Council continue to attach great importance to the timely submission of this annual report to the General Assembly, as provided for in Articles 15 and 24 of the United Nations Charter. Consistent with the practice established in 1993, the draft of this annual report was issued to all Member States and was adopted at a formal meeting of the Security Council on 13 November 1996.

The consideration of the Council's report by the General Assembly provides the opportunity for substantive dialogue and interaction between these two principal organs of the United Nations. This is an essential process in enhancing and promoting the fulfilment of their respective responsibilities under the Charter. It is therefore a process that needs to be constantly nurtured.

The report once again reflects the heavy workload of the Council in responding to problems related to the maintenance of international peace and security. As the report notes, during the period under consideration, the Council held 132 formal meetings, adopted 64 resolutions and issued 62 statements of the President. In addition, Council members held 240 consultations of the whole, totalling some 377 hours. The report also lists the various issues that engaged the Council during the period under review. Clearly, however, these figures taken together do not and cannot by themselves fully reflect the dynamics of the Council's work: the intense consultations among members of the Security Council aimed at building consensus while at the same time ensuring the effectiveness of the decisions reached to control and indeed resolve the conflict situations before the Council.

In Africa, the former Yugoslavia, the Middle East, the Americas and other regions, threats to international

peace and security, and implications for humanitarian situations, still abound and constantly test the effectiveness of the Council. In all instances, the input of States immediately affected and cooperation with the relevant international and regional organizations have been valuable.

Our delegation believes that the time has come to clarify the provisions of the provisional rules of procedure and formulate them in an unambiguous way, taking into account present day realities. This means that the Security Council should be more accessible to all Member States since they have the right to know more, to be well informed and to be informed in good time.

The question of the format of the report of the Security Council is always among the hottest issues, and I am sure that in our current discussion the problem of the analytical nature of the report, or rather the lack of it, will be raised again. Today, I can only reaffirm our position that the lack of analysis is an inherent feature of a report of this kind. It is hard to believe that 15 members of the Security Council would agree a common understanding and interpretation of the Council's endeavours.

In this context, the delegation of Ukraine would prefer to consider special reports of the Security Council to the General Assembly on specific issues that the Security Council remains seized of, as provided for in Article 24, paragraph 3, of the Charter of the United Nations. My delegation would like to recommend to the Security Council's Informal Working Group concerning documentation, working methods and procedures that it study very thoroughly the issue of the preparation by the Security Council of reports on special topics for the General Assembly. A positive reaction to this proposal might make the report of the Security Council to the General Assembly, in its present format, simply redundant.

My delegation notes with satisfaction that the so-called orientation debates have become a characteristic feature of the working methods of the Security Council over the past year. Their positive impact on the work of the Security Council can hardly be overestimated. The points of view of United Nations Member States have contributed to the Security Council's elaboration of balanced and comprehensive decisions.

In our opinion, the same positive effects would be felt if the Security Council introduced the long-awaited practice of allowing interested States that are not members of the Council to participate in informal consultations. There is no doubt that if members of the Security Council understood the positions of conflicting parties, unnecessary shortcomings would be avoided and the Council's decisions would enjoy greater legality.

In conclusion, my delegation wishes to express the hope that the results of today's discussion will be suitably reflected in the responsible and honourable activities of the members of the Security Council in years to come.

Mr. Petrella (Argentina) (*interpretation from Spanish*): First of all, I would like to thank the President of the Security Council, Ambassador Nugroho Wisnumurti of Indonesia, for introducing the Council's report to the General Assembly. I now wish to make some comments on what we see as one of the most important items on the agenda of this session of the General Assembly.

The report of the Security Council to the General Assembly (A/51/2) provides the Members of the Organization with the opportunity for an overall assessment and analysis of the work of the Security Council. To this end, we have the document that was circulated somewhat earlier, which shows us the range and scope of the activities on the Council's agenda. As the President of the Council said, the Security Council is continuing to consider how to respond to threats to international peace and security. It adopted measures to control and resolve conflicts; above all, the general trend towards negotiation and consensus continues. The Secretary-General, Mr. Boutros Boutros-Ghali, in his annual report on the work of the Organization went one step further and reminded us that only one draft resolution was not adopted owing to the lack of the required votes in its favour, whereas on the other hand, it succeeded in adopting 51 resolutions during the period covered by the report of the Secretary-General, which indicates that, fortunately, the trend towards consensus is being consolidated.

With regard to our region, Latin America and the Caribbean, the Council extended the mandate of the United Nations Mission in Haiti, and gave it room for manoeuvre. We would like to avail ourselves of this opportunity to thank the Security Council for its positive attitude towards this important item which, furthermore, involves a people and Government with close friendly ties to Argentina.

We feel we need to make these comments because the relationship between the General Assembly and the Security Council needs to be smoother and deeper than it

has been in recent years, particularly in view of the new international agenda and the new modalities of work in the Security Council.

As we have emphasized in the past, these new modalities, *inter alia*, involve the practice of closed meetings to consider matters which, because of their universality, would undoubtedly be of interest to us all. They involve presidential statements in the most diverse circumstances. They involve briefings for delegations which are not always satisfactory and which are frequently less detailed than those given to the press at the same time. They involve a broad interpretation of the factors that would invoke Chapter VII of the Charter. And they involve more frequent use of the quasi-legislative or judicial powers granted to the Council under the Charter.

We must add, however, some mention of the very important and effective action taken by the Council in establishing and supervising peacekeeping operations.

In the light of what I have said, and in order to ensure that members of the Assembly can play their role under the Charter on items relating to international peace and security, I believe that we should recall the respective areas of competence of the Security Council and of the General Assembly and how each organ performs its duties. Articles 10 and 14 of the Charter set forth the shared responsibility of the Council and the Assembly for maintaining international peace and security.

In accordance with Article 24 of the Charter, States Members of the Organization confer on members of the Council primary responsibility for the maintenance of international peace and security. That Article specifies that the Security Council is not acting on its own, but on behalf of the entire international community.

It emerges from the interpretation of these Articles that the powers granted the Security Council are limited, first, by the provision that the General Assembly may discuss any matter relating to the powers and functions of the Organization, except, as stipulated in Article 12, when the Security Council is exercising its functions in respect of a particular dispute or situation.

The second constitutional limitation lies in the Charter's giving Member States the right to participate directly in decision-making processes relating to the maintenance of peace and security, as stipulated in Articles 31 and 32.

Hence, one may conclude that with the granting of powers to the Assembly and the establishment of mechanisms for direct participation, States preserve their fundamental right to act and, accordingly, to be informed, consulted and taken into account by the Security Council in the decision-making process.

Today, the very concept of participation and consultation has lost all practical meaning, as the decisions of the Council are frequently reached in the seclusion of so-called informal consultations.

It has also been the case for some years now that the report of the Security Council, which should be a nexus of vital communication between the Security Council and the General Assembly, in which all States are represented, has been merely a thematic compilation without any analytical or substantive description of activities. The report sheds no light on the decision-making process, and much less on the reasons why a given course of action was chosen in those closed meetings. Nor does it allow for any interpretation of the lessons to be learned for the future.

The lack of an updated *Répertoire of the Practice of the Security Council* adds a final and alarming element to this worrisome picture. However, the statement of the President of the Security Council in introducing the report reveals some signs of change.

In the light of the rapid changes in the international arena, one might ask, as the Ambassador of Ukraine did a moment ago, whether the current format of the report, which has been unchanged since 1973, serves the purposes of the Charter. One might also ask whether special reports, as set out in Article 24, submitted on a timely basis, would not be more useful in generating dialogue accessible to all countries, including the smallest, on questions relating to international peace and security.

All of these circumstances deserve urgent attention, not only because of the Security Council's acquired practice of holding closed meetings, but also because the international agenda has changed considerably since the end of the cold war.

Today this new agenda — and one need only look through the report of the Council to realize this — is filled with racial conflicts and conflicts between communities, massive violations of human rights, the emergence of irregular forces or entities, and all types of

events that have little to do with State dominion. As a result, the United Nations, an Organization of sovereign States, has to deal with, and is sometimes overwhelmed by, these new circumstances.

We have recalled the important functions of the Assembly not to revive old debates that had more to do with political interests than with genuine interests. We have done so because the Security Council must think carefully about the limits on its responsibilities and the necessary obligation that its gestures and its acts be as transparent as possible to the General Assembly, which shares these principal responsibilities. This would go hand in hand with the triumph of democracy in the world, at a time when there is explosive growth of transparency in public administration, fostered by a revolution in global communications.

The founders of the Organization did not intend to establish a system of exclusion between the Assembly and the Council, but rather a dynamic relationship of cooperation. The Security Council has no authority of its own; as stipulated in Article 24, it acts on behalf of all of us, and not solely on behalf of its members. In accordance with the principle that there can be no delegation of powers without obligations, we should explore ways and means to restore, through dialogue, productive interaction between the Security Council, the General Assembly and Member States. Only in this way can we help put an end to the crisis of participation and confidence affecting the majority of the Member States of the Organization.

Mr. Wang Xuexian (China) *(interpretation from Chinese)*: The Chinese delegation wishes to thank the President of the Security Council for submitting the annual report of the Council to the General Assembly. The report basically reflects the work of the Council in the period from 1995 to 1996. Though fewer resolutions and presidential statements were adopted than in the preceding 12-month period, the Council remained very busy. It did a great deal of work and made fresh contributions to the maintenance of international peace and security. It also made certain decisions to improve its working methods and enhance its transparency. These efforts should be recognized.

The Council is an important United Nations organ that bears primary responsibility for the maintenance of international peace and security. It is therefore useful to review and summarize the work of the Council every year in the context of consideration of its annual report. As a permanent member of the Security Council, China is willing to listen to the views of Member States on the Council's work and attaches great importance to those views. The Chinese delegation is of the view that the Council should make greater efforts or improvements in the following areas to keep abreast of developments on the international scene and make a greater contribution to the maintenance of international peace and security.

First, under the Charter the Council acts on behalf of all Member States. Therefore, the Council, before making major decisions, should hear in full the views of the general membership, particularly those of the countries of the region concerned, and increase their participation in the work of the Council so as to enhance the accuracy and authority of its decision-making. In this connection, the Council has already made some efforts, such as holding public meetings to draw on collective wisdom when considering important issues and consulting with troop contributors on the deployment, extension and termination of peacekeeping operations. These are all effective practices that should be continued.

Secondly, in resolving international and regional conflicts, the Council should, in accordance with the Charter, try to urge the parties concerned to settle their disputes and differences peacefully through negotiation. It should be very prudent and take the humanitarian implications fully into consideration before adopting such mandatory measures as sanctions and military intervention, so as to avoid any harm to innocent groups and further complication of problems. In this regard, many important issues need to be resolved.

Thirdly, on major questions concerning international peace and security, the Council should consistently abide by the purposes and principles of the Charter and, in particular, respect the views of the countries and parties involved and those of the countries of the region concerned and encourage regional organizations to play a proper role in the light of different circumstances. My delegation believes that there are both progress and weaknesses in the work of the Security Council in this area.

Fourthly, the Council has clearly defined terms of reference. It should refrain from exceeding its mandate to trespass on the affairs of other bodies and should particularly respect the authority of the General Assembly. As a Chinese saying goes, it should sweep clean the snow from its own door and not worry about defrosting other people's windows.

As stated by the President of the Council, the report will help Member States understand the work of the Council during the period under consideration. We hope that the Council will continue its efforts to improve its working methods and to enhance its transparency and effectiveness on the basis of bringing experiences together and hearing the views of all parties in full so that it can play a proper role in maintaining international peace and security.

Mr. Park (Republic of Korea): At the outset, my delegation would like to associate itself with the statement made by Ambassador Wisnumurti, President of the Security Council, regarding the report of the Security Council now under consideration.

As he rightly pointed out in his statement, the consideration of the Council's report by the General Assembly provides a good opportunity for productive dialogue and interaction between the two principal organs of the United Nations. The question of the relationship between the general membership and the Security Council on matters related to international peace and security remains inconclusive and unclear in spite of 50 years' experience and the provisions of the Charter governing that relationship. My delegation hopes that this forum will contribute to bringing these two vital organs closer together so that they can discharge their heavy responsibilities in a most harmonious manner in the interest of world peace.

Last year, several delegations, in referring to paragraph 1 of Article 24 of the Charter, which stipulates that the Security Council acts on behalf of the Member States, indicated the need for a system of checks and balances between the Security Council and the General Assembly. In our view, however, an optimal relationship between the General Assembly and the Security Council can be better achieved through the practical pursuit of closer consultation and coordination between the two organs rather than by focusing on a debate over which body reigns supreme over the other.

The heavy workload of the Security Council, particularly since the end of the cold war, is well known to us. We believe that such an expansion in the role of the Security Council must necessarily be accompanied by greater input and cooperation from the general membership. Through our own experience as a member of the Security Council, we have gained the firm conviction that the decisions made by the Council cannot be fully implemented without appropriate support and understanding from those outside the Council chamber.

Consequently, it goes without saying that the adequate flow of information and proper interaction between the Council and the General Assembly assumes primary importance. The Security Council should be quite familiar with and sensitive to the preferences and priorities of the general membership. By the same token, all Member States represented in the Assembly are entitled to better information about past actions and future plans of the Council. Fortunately, we have seen some modest, but meaningful, progress during the period under consideration.

One of the prominent improvements has been the enhanced arrangement for the consultation and exchange of information with troop-contributing countries as contained in the Presidential Statement of 28 March 1996 (S/PRST/1996/13). We believe that, among others, the new mechanism has made it easier to create a strong support base for a new peacekeeping operation by providing for meetings with prospective troop contributors before its establishment. Oral briefings by the Chairman of each sanctions committee, which were introduced at the beginning of this year, have also served as a valuable step in increasing the knowledge of non-members of the Council on how the sanctions regime actually works. By making proper use of the orientation debate, the Council has also received useful and timely input from non-members of the Council on various issues.

Above all else, the Council President's briefings on the informal consultations have now become a vital semi-institutional link between Council members and non-members. These briefings are especially important given the role of informal consultations in the decision-making process of today's Security Council. It is now an indisputable fact that informal consultations are the core activity in the Security Council, while the formal meetings, with the exception of open debates, have more or less assumed a ceremonial nature.

Whenever I come out of the consultation room and pass non-members of the Council being briefed by members of the Council, I always feel that, given the critical importance of informal consultations, there should be a more systematic and reliable way of providing information to the general membership as a whole. While the solution to this problem might not be within our immediate grasp, we think that, for now, the report of the Council can, as many Members of this Organization hope, be improved by being made more substantive and analytical.

As it stands now, the report customarily reproduces the text of resolutions or presidential statements already adopted and readily available elsewhere. In this regard, my delegation believes that, rather than passing on merely duplicative texts, efforts should be made to convey the proceedings of the informal consultations in a more substantial fashion. This type of improvement in the format of the report will also help to transform it into a genuine guide to the activities of the Security Council, as envisioned in its introduction.

Before concluding, I wish to emphasize once again that an enhanced partnership between the General Assembly and the Security Council can only serve to augment the calibre of that organ in coping with the broad range of new conflicts and instabilities that have emerged in the post-cold-war period.

Therefore, I would like to close by reaffirming that my delegation, as a member of the Council, will continue to do its utmost to ensure that the essential link between the General Assembly and the Security Council, as exemplified by this report, is further strengthened, particularly in creating a more orderly and reliable flow of information between the two organs.

Mr. Mabilangan (Philippines): The Philippine delegation, at the outset, wishes to thank the President of the Security Council, the Permanent Representative of Indonesia, for his presentation of the report of the Security Council to the General Assembly.

My delegation received the report of the Security Council just before the debate and we thank the members of the Council for their efforts. We would have preferred, however, the report to have been circulated prior to the plenary general debate so that our delegation, and presumably others, could have prepared more adequately for this debate. Nevertheless, from the limited time we have had to consider this report, we can only express once again our disappointment with its content.

We must therefore reiterate that the inability of the General Assembly to conduct a truly substantive and analytical debate on the report, as envisioned in General Assembly resolution 48/264 on the revitalization of the work of the General Assembly, arises mainly from the present method or procedure for considering the report and its content. I wish to address briefly these two points.

First, there is an urgent need to improve the Assembly's present format of considering the annual report of the Security Council. In this regard, operative paragraph 4 of General Assembly resolution 48/264 invites the President of the Assembly to propose appropriate ways and means to facilitate an in-depth discussion by the Assembly of matters contained in the reports submitted to it by the Council and, it implies, to consider possible action which may be proposed by delegations on these reports.

Moreover, the latest working document of the Open-ended High-level Working Group on the Strengthening of the United Nations System states that the President of the General Assembly should assess the debate on this item and that, in the light of this assessment, informal consultations should be held to discuss the need for and content of any action by the Assembly based on the debate.

It is therefore clear that the present organizational set-up is felt to be inadequate for an in-depth discussion of the report, as called for in resolution 48/264. A more appropriate mechanism or procedure should be established to permit the General Assembly to have an analytical exchange of views on the matters in the report and, where appropriate, to translate these views into recommendations or decisions. We therefore urge the President to undertake consultations on this matter at the earliest possible date.

On the second point — improvements in the content and presentation of the report — operative paragraph 3 of resolution 48/264 encourages the Council to provide a clear and informative account of its work in connection with its submission of reports to the Assembly. We believe that this could be accomplished by presenting a more substantive and explanatory annual report, and not what is essentially a compilation of official proceedings and decisions.

Towards this end, the report should include a summary of the consultations of the whole on key matters that it covers, focusing on the reasons, circumstances or factors which led to a specific course of action or non-action on an issue. This would enable the General Assembly to gain a clearer appreciation of the Council's deliberations and the thinking of its members which led to decisions or actions on critical issues.

The usefulness of the report would also be enhanced if it were to include sections on the decisions and recommendations of the Council's subsidiary organs, especially its sanctions committees, the highlights or

outcomes of its consultations with troop-contributing countries, on peacekeeping operations and on the steps taken by the Council to improve the transparency of its working methods and decision-making process.

The Council should also provide special reports to the General Assembly throughout the year, in accordance with Articles 15 and 24 of the United Nations Charter. These reports would not only supplement the annual report, but also provide the General Assembly with a continuous, up-to-date and authoritative source of information on the Security Council's decisions and activities. In this regard, my delegation suggests that special reports be issued as soon as particular actions and situations occur in the period between the submission of the annual reports. These actions should include the establishment of new peacekeeping operations, the termination of peacekeeping operations or substantive changes in their mandates. Decisions by the Council to impose or lift sanctions on any Member State of the United Nations or to change existing sanctions regimes should also be occasions for issuing a special report to the General Assembly.

Finally, we believe that a truly substantive debate on the annual report, as envisioned in resolution 48/264 and facilitated by a more substantive report and an improved method for considering the report, would serve as a convincing manifestation of an effective relationship between the General Assembly and the Security Council.

Mr. García (Colombia) (*interpretation from Spanish*): At the outset, allow me to thank the Permanent Representative of Indonesia, in his capacity as President of the Security Council, for introducing the report of the Security Council to the General Assembly covering the period from 16 June 1995 to 15 June 1996.

Articles 10 to 17 of the Charter of the United Nations refer to the functions and powers of the General Assembly. Article 15 provides that the General Assembly shall receive and consider both annual and special reports from the Security Council. In turn, Article 24, paragraph 3, of the Charter provides that the Council shall submit annual and, when necessary, special reports to the General Assembly for its consideration.

These two articles establish an institutional link of the utmost importance for the work of the United Nations — a link that reflects the fact that whenever the Council acts, it should do so in conformity with the Charter, and in so doing, acts on behalf of the Member States. However, at the same time, in the Organization there is a universal, supreme and unique organ, the General Assembly, in which all Member States are represented. That organ has a very broad mandate covering all subjects and issues within the scope of the Charter, including issues relating to the maintenance of international peace and security.

It is therefore clear that although the Security Council has primary responsibility for the maintenance of international peace and security, that responsibility is not and cannot be exclusive to the Council. The importance of the Council's report to the Assembly is underscored by the fact that Article 15, paragraph 1, of the Charter refers to the report of the Security Council separately, in order to differentiate it from the reports of all other United Nations organs to the General Assembly, which are referred to in paragraph 2 of the same Article.

We regret that despite the provisions of General Assembly resolution 48/264, which encouraged the Council to submit reports to the Assembly in a timely manner, document A/51/2, dated 13 November 1996, was only distributed last week. In addition to the very short span of time between the submission of the report and its consideration in the Assembly, the report, as published, lacks the elements that would allow the Assembly to fulfil properly its responsibility of considering, analysing and assessing the work of the Council.

In the period covered by the report, the Council held 132 formal meetings, that is, 20 meetings fewer than in the period covered by the previous year's report. Although the decrease corresponds to a general trend reflected in a reduction in the number of private meetings, resolutions adopted and statements by the President, it is important to point out that contrary to the wish of the Members of the Organization to increase the number of open meetings, these have been constantly decreasing over the past few years.

If we add to what I have just said the fact that in many instances the formal meetings go no further than formalizing decisions of the Council that have been negotiated in private, the extremely limited information available to non-member States of the Council becomes obvious.

We consider the efforts made by the Council to rationalize its programme of work and to improve the transparency of the sanctions committees to be positive, yet insufficient. Likewise, we recognize the importance of continuing the informal briefings by the President on

the work of the Council, where delegations that are not members of the Security Council have access to some of the information not reflected in its reports.

We also welcome the measures adopted by the Council to achieve greater transparency and better communication between Council members and non-members since 1993, when the informal Working Group on documentation and other procedural questions was established. Nevertheless, there is still a long way to go to achieve the necessary transparency and information to ensure the enhanced functioning of the Council and proper communication with the Assembly to allow the latter to fulfil the mandate envisaged by the Charter.

In that regard, what was stated last year by the delegation of Colombia on behalf of the Movement of Non-Aligned Countries is still entirely valid. Likewise, the decisions adopted by the Heads of State or Government of the Non-Aligned Movement at the eleventh Summit, held at Cartagena in 1995, are fully relevant and valid, including, *inter alia*, those referring to the functioning of the Security Council, the need to ensure the transparency of the Council's work and improve its working relations with the General Assembly, and the implementation of Article 50 of the Charter.

My delegation wishes to reiterate the proposals that have been expressed on various occasions in this forum regarding the improvement of the Council's report in order to allow the Assembly to perform the responsibilities attributed to it by the Charter.

Regarding its reports to the General Assembly, the Security Council should, first, submit its annual report before the beginning of the general debate in the General Assembly; second, submit reports every three months, which would simplify their preparation and provide more current and useful information; third, emphasize the outcome of the action taken by the Council and referred to in the report, with the corresponding evaluation; fourth, provide adequate information on its informal consultations on issues brought to its attention; fifth, include decisions and recommendations on the work of the subsidiary organs of the Council, particularly the sanctions committees and tribunals; sixth, include the highlights of the results of consultations with troop-contributing countries on peacekeeping operations; seventh, include a section on the steps taken by the Council to improve its working methods; and eighth, take into account in the preparation of the report the points of view of the General Assembly on the reports of the Security Council. Lastly, the report should be comprehensive, analytical and substantive.

The Council should increase the number of formal meetings and improve the information on closed meetings, so that Members of the Organization are aware of the main elements and tendencies relating to the issues under consideration by the Council. Likewise, the Council should submit special reports to the General Assembly during the year. Those reports could be submitted, for example, when new peacekeeping operations are established, when their mandates are modified and when their activities have been completed. Special reports could also be submitted whenever sanctions are imposed or lifted, or when changes in a sanctions regime have taken place.

Finally, my delegation wishes to inform members that consultations are taking place within the Non-Aligned Movement on a possible draft resolution on the report of the Council to the General Assembly. For this reason, we request that agenda item 11, entitled "Report of the Security Council", be kept open.

Mr. Böck (Austria): Austria welcomes the introduction of the report of the Security Council, as contained in document A/51/2, by the President of the Council, the Permanent Representative of Indonesia. This continues a trend started by Brazil in 1993 and represents, in accordance with Article 24 of the United Nations Charter, a step towards enhancing the relationship between the Security Council and the General Assembly. This presentation by the Council President highlights, in our opinion, the Council's readiness to enter into and continue dialogue with the General Assembly.

The relationship between the Security Council and the General Assembly is undoubtedly one of the core issues of the ongoing reform debate. Let me stress the importance my delegation attaches to efforts aimed at redressing the political imbalance between these two organs. It is essential that the General Assembly become an even more relevant player in the decision-making process of the United Nations. However, in order for it to regain its importance as a forum for political dialogue and as a meeting place for all nations, as well as to better function as a policy-setting, coordinating and oversight body, the General Assembly has to improve its organization of work and its working methods. This goal needs to be pursued with utmost vigour. My delegation therefore welcomes the first steps to streamline the

proceedings of the General Assembly which have been taken under Ambassador Razali's leadership.

Although it is undoubtedly of particular value to be presented with and to have a discussion in plenary meeting about such an extensive account of the various activities and actions of the Security Council, covering the period from 16 June 1995 to 15 June 1996, it seems even more important to achieve increased interaction, wherever appropriate, between the members and non-members of the Council at an early point in the consultation and decision-making process. Improving interaction among delegations would automatically enhance the legitimacy and efficiency of the Council. Let me restate our view that, as the discussions on the enlargement of the Security Council meet with some difficulties, the need for greater legitimacy of the Council suggests that more attention should be paid to interaction and transparency issues.

An adequate flow of information towards non-members seems a prerequisite for understanding and assessing how the Council is dealing with political issues, and it should therefore be facilitated. We believe that the need for confidentiality has to be weighed against the advantages of a transparent approach. Overall, transparency rather than secrecy should be one of the guiding principles of the Security Council's activities. Member States with a special interest in situations which are under consideration in the Security Council should be given the opportunity to articulate their views as early as possible. This participatory element is especially important for countries which are concerned with or touched by a given conflict or which, due to their geographic location, should assume a particular role in the ensuing operations mandated or authorized by the Security Council. We welcome the progress made in recent years in this area, and we hope that this trend will continue.

Such a necessary and substantial dialogue is deemed to be of particular importance in the field of peacekeeping operations. Overall, the current mechanism for interaction between the Security Council, the Secretariat and the troop contributors has to be further strengthened. My delegation welcomes the improvements undertaken by the Council in the last two years towards better access to information, and we ask all its present and future members to assure an appropriate and consistent follow-up to these initial steps. Let me mention in this context last week's meeting of Security Council members, troop-contributing countries, and States from the concerned region, regarding the establishment of a multinational force to address the tragic situation in eastern Zaire. This meeting provided us with an excellent example of the usefulness of such an approach.

As the extensive report of the Security Council demonstrates, the Council accomplished an enormous amount of work during the period under consideration. The packed agenda of this period highlights again the ever increasing challenges facing this organ as well as the United Nations as a whole.

In the past my delegation has made suggestions on the possible format of future reports of the Security Council to the General Assembly, including the possibility of monthly reports, which would then be put together to form the yearly report of the Security Council. We would hope this could be achieved without adding too much to the workload of the Secretariat. My delegation is fully aware of the potential difficulties arising from this suggestion. However, a more analytical report on the work of the Security Council would contribute not only to the transparency of the Council's work but also to the promotion of interaction between the Security Council and the General Assembly, to which I referred earlier.

Mr. Fulci (Italy): First, I wish to congratulate the Permanent Representative of Indonesia, Ambassador Nugroho Wisnumurti, who, in his capacity as President of the Security Council, has made a clear, comprehensive and thoughtful presentation of the Council's annual report to the General Assembly. My compliments go also to the Secretariat for a job well done in preparing this document.

The Security Council's report to the General Assembly is essential for ensuring close and effective coordination between these two principal organs of the United Nations. It is a crucial point of reference for the discussion of questions relating to the maintenance of international peace and security, as provided for under Article 15, paragraph 1, of the United Nations Charter. Perhaps it is worth recalling that in order to achieve the purposes of the Organization, the Charter requires that the Security Council and the General Assembly not work in isolation but establish an open and constructive dialogue, consistent with their respective responsibilities.

As Ambassador Wisnumurti pointed out, this year's report brings out the Security Council's intense activity in the maintenance of international peace and security and related humanitarian aspects. This is proved by the

number of formal meetings and informal consultations held, resolutions adopted and statements issued. In particular, the almost daily informal consultations demonstrate the Council's commitment to respond adequately to the challenges of today's international relations.

As a member of the Council for the past two years, Italy has directly witnessed and participated in the Council's efforts to solve international crises and other situations that might affect international peace and security. Italy's action in the Council has been guided by two principles. First and foremost is the defence and promotion of the interests of the international community as a whole; and the second is the involvement and participation of all States in the activities of the Council, especially of those most directly concerned by its deliberations, when the discussion of matters of interest to them had not been previously announced. That is why my delegation made it a point to inform colleagues from other Missions promptly when matters affecting them were raised in the Council. This is why we have insisted so much on more public debates, as well as on prior consultations with countries contributing troops to peacekeeping operations, and not merely the presentation of information.

Needless to say, Italy also attaches the utmost importance to the principle of democracy, which entails trust, transparency and accountability. We have consistently viewed these elements as the guidelines for our action in the Security Council. We hope therefore that our contribution to the Council's work has met the expectations of the general membership of the United Nations, which almost unanimously elected Italy to a seat on the Council two years ago.

In view of the recognized need for greater transparency in the Council's work and for greater accessibility to non-members, various proposals have been put forward in previous debates on the Council's report, as well as in other forums, such as the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters Related to the Security Council. Unlike the Group's discussion of the question of expanding the Council's membership, its discussions on how to improve the Council's working methods have made meaningful progress. No amendment to the Charter seems to be necessary on the specific issue of working methods. Consequently, we hope and believe that it will be possible to achieve quick results towards updating and strengthening the United Nations system through one or more resolutions of the General Assembly or of the Security Council.

This year's report already reflects a number of achievements in the field of transparency. As I have already mentioned, new procedures were introduced to enhance arrangements for consultations between the Council and troop-contributing countries. There was increasing recourse to open debates, particularly at an early stage in the Council's consideration of a subject.

Briefings by the President of the Council for non-members have become an established practice. Moreover, it has become standard practice for the President to speak to the press at the end of every meeting, highlighting matters discussed that day, often after the Council had been given guidelines beforehand. Furthermore — and this is no less important for dispelling the atmosphere of secrecy that often used to surround the Council's informal consultations — now, every day, all delegations of the United Nations can learn the agenda of the Security Council in advance from the *Journal*. The procedures of the sanctions committees were further improved. In these and other areas, the Council has greatly benefited from the activity of its Informal Working Group on documentation and other procedural matters, established in June 1993.

At the same time, further steps are needed to improve the effectiveness and transparency of the Council's work and of its interaction with the General Assembly. First and foremost — as other colleagues who spoke before me have already said — we need to review the format and content of the report to the General Assembly. At present, the report is merely analytical and descriptive of the activity of the Council, and does not provide any substantive indication of the process leading to the Council's decisions. These limits were also recognized by several speakers last year when we debated on the report, and they continue to hinder a more thorough and meaningful consideration of the report by the General Assembly.

In particular, we believe that the report should include a brief account of the Council's informal consultations on crisis areas, regional tensions, humanitarian emergencies and other issues crucial to local and global stability. We therefore look forward to the further analysis and discussion of the proposal on the preparation of the Council's report already submitted

along these lines in the Informal Working Group on documentation and other procedural matters.

In conclusion, let me express my confidence that today's debate on the Security Council's report will once again be extremely useful in reaffirming the Council's fundamental role in guaranteeing international peace and security. At the same time, it is hoped that it will help to indicate practical ways and means to improve further the Council's effectiveness and transparency vis-à-vis all Members of the United Nations, and ensure the full involvement of all in the deliberations on peace, war, sanctions and other matters which, needless to say, are of vital interest to each and every one of us.

Mr. Hasmy Agam (Malaysia): Let me begin by conveying my deep appreciation to the President of the Security Council, Ambassador Nugroho Wisnumurti of Indonesia, for his statement introducing the report of the Security Council (A/51/2). This debate, and those that the General Assembly has held in the past on reports of the Council, testify to the importance attached by the general membership of the Organization to the work and functioning of the Security Council.

By the virtue of Article 15 of the Charter of the United Nations, the General Assembly deserves to be fully informed of the practice of the Security Council in its principal role of maintaining international peace and security. Under that Article, the Assembly shall receive and consider annual and special reports from the Council which shall include an account of the measures that the Council has decided upon or taken to fulfil its Charter-mandated obligations. The provisions of this Article, and of Article 10 of the Charter, clearly stipulate the key role of the General Assembly as the global forum for monitoring the work and activities of other principal organs of the United Nations. My delegation therefore believes that the agenda item before us today provides an excellent opportunity for the general membership represented in this Assembly to express its views on the work of the Security Council.

My delegation has carefully studied the report of the Security Council contained in document A/51/2. In my delegation's assessment, apart from some cosmetic changes, the report remains — disappointingly, as in the past — a mere compendium of meetings and decisions in the form of resolutions and presidential statements, as well as a compilation of communications and documentation received by the Security Council during the period under review. In fact, there is nothing new in the report; most delegations have already had access to the information it contains, as it has been circulated by the Department of Public Information.

Malaysia has on several occasions in the past emphasized the need for the Security Council to produce an analytical and substantive report of its work to the General Assembly. Even if such a report involved extra work and had other implications, the value of a comprehensive report, such as those submitted by the Secretary-General on the work of the Organization or the annual report of the International Court of Justice, would justify that extra work and outweigh those other implications; moreover, the report would be meaningful to all delegations.

The present report does not provide information on the basis of decisions made by the Security Council on all issues. My delegation would like to believe that the members of the Security Council had conducted thorough consultations among themselves as well as the parties concerned before making any decision. In this regard, the report has done the Council an injustice by not reflecting the substance of those important consultations, which led to the Council's decisions. On the other hand, if such consultations had taken place, my delegation believes that the Council is obliged, at the very minimum, to explain and inform the General Assembly of the substantive elements that were deliberated upon in respect of particular issues. This measure would contribute to better appreciation of the Council's decisions and uphold the principle that the Council acts on behalf of all Member States.

As is obvious from the report, it only indicates communications received by the Security Council from Member States on various subjects that need the Council's attention. Beyond this, however, the General Assembly is not given any information on the deliberations or the decision-making process in considering those matters. It appears to indicate the first instance when an issue was brought to the Council and the Council's subsequent decision, without making any reference to what transpired in between. This is obviously not in conformity with the normal practice of reporting by national Governments or intergovernmental organizations. Is it unreasonable for Governments represented in this Assembly to request that a similar practice be adopted by the Security Council, and that the decisions that are made on their behalf be explained?

While recognizing that the Security Council has taken some measures to improve its work and procedures, we believe that much more remains to be done. While we encourage the Council to have more formal meetings, the non-Council member States must be allowed to speak first at those formal meetings so that the Council can truly benefit from their input. Current practice often makes these meetings merely pro forma. There have been various proposals — as discussed in the Working Group — dealing with reform of the Council that could be adopted to bring more transparency and democracy into the Council's decision-making process. My delegation earnestly hopes that the Council will be ready formally to adopt and institutionalize those measures without further delay. By reacting positively to the wishes of the general membership, the Council would enhance its standing and legitimacy in the eyes of the international community. This is important, bearing in mind that the Council's decisions have global reach and implications, and that it is only with the full support of the international community that the Council can fulfil the responsibilities provided for in the Charter.

My delegation would like to underscore the importance of timely reports from the Security Council. The annual report itself should be made available much earlier if the Assembly is to deliberate on it in a meaningful way. Apart from submitting the annual report, the Council, under Article 15, to which I referred earlier, should also keep the general membership of this Organization informed at regular intervals throughout the year through its special reports. This is important, as we all live in a dynamic environment where breaches of international peace and security that require Council action sometimes take place. At the same time, this would enable the Council to give a comprehensive account of its deliberations and its decisions on all issues in an orderly and timely manner. This Assembly would have benefited, for example, from a special report on the great human tragedy in the Great Lakes region. It would also be useful for the General Assembly to be informed of the various reports prepared for the Council but never brought to the Assembly's attention as a result of opposition from certain quarters.

On another aspect of the report, my delegation has in the past emphasized the need for the Council also to include in its report information regarding the consultations of the whole which are normally undertaken prior to its action or deliberations on issues within its mandate, and on the process leading to action on them, including a brief summary of the main views of Council members on these issues. This would further enhance the process of transparency in the Council's actions, thus enabling all delegations and the world outside to fully comprehend the issues at hand. It would be more useful if the report contained a brief assessment of the areas of success and failure of the Council in relation to issues raised in the report. This assessment would include an analysis of the extent to which the Council's action or lack of action affected and influenced the situation in question and its future prospects.

Apart from incorporating the decisions and recommendations of the subsidiary organs of the Council, it is also important to underline the need for the inclusion of the highlights or outcome of the consultations between the Council and troop-contributing countries on the status of the existing peacekeeping operations or the establishment of such operations in the future. This would enable the Council to make decisions taking into account the views and intentions of the troop contributors, who in turn would be able to follow closely the Council's actions regarding the mandate, as well as developments on the ground where these operations are established.

Despite the Council's continued reliance on sanctions as a means of ensuring compliance by the target States with the relevant Council resolutions, the information provided in the report regarding the activities of the sanctions committees is still superficial and lacking in depth. In this regard, my delegation believes that the report should have a separate chapter comprehensively to reflect the activities and decisions of each of the sanctions committees. We would like to reiterate the need, again for the sake of transparency, for future reports of the Council to include information regarding informal meetings of the sanctions committees. The work of these committees must indeed be acknowledged, and due recognition to them must be reflected in the report.

Let me stress again the need to improve the format and content of the report of the Security Council along the lines proposed in this Assembly. Otherwise, this debate will only be an annual ritual that we all go through.

Mr. Wlosowicz (Poland): Allow me to begin by expressing appreciation to the President of the Security Council, Ambassador Wisnumurti of Indonesia, for having introduced the annual report of the Security Council to the General Assembly. This report covers the one-year period from 16 June 1995, half of which runs

concurrently with Poland's membership in the Council. My delegation is pleased fully to endorse the statement Ambassador Wisnumurti has just made.

At this point, let me also express my delegation's gratitude to the Secretary-General for his efforts in providing the Security Council with all it needs to discharge its mandate. Our thanks go as well to the hard-working members of the United Nations Secretariat.

Dialogue and cooperation between the General Assembly and the Security Council, the two principal organs of the United Nations, are of crucial importance for this Organization in the pursuit of its objectives. We welcome the fact that in recent years this dialogue and cooperation have been gaining in scope and substance. We praise the inventive approach of United Nations Members towards enriching the relationship between the Council and the Assembly. We also commend the Council's readiness to respond positively to what others have to say and to accelerate the process it has embarked on to improve its working methods.

We are pleased to see successive Security Council presidencies informing interested delegations, on a daily basis, about this body's deliberations. This, coupled with the practice of announcing the Council's agenda and distributing the relevant documents, gives the general membership useful and much sought after insight into the Council's proceedings and allows for a better understanding of its decisions.

The Council itself is also making an effort — in our view a successful one — to become better informed on issues with which it is dealing. I emphasize only two points in this regard: first, the increasing use of orientation debates as a vehicle for an exchange of views in the early stages of Council's deliberations; and secondly, the determination with which the Presidents of the Security Council are making themselves, and the Council as a whole, accessible to all United Nations Members.

As the seventh largest troop contributor, Poland welcomes the changes in the mechanism for peacekeeping consultations, as introduced by the President of the Security Council in his statement of 28 March 1996. This is an important document. What has been achieved is greater transparency and, perhaps even more importantly, a wider and more substantial involvement of the countries that have for a long time been expressing their legitimate interest in exerting more influence on United Nations peacekeeping. My delegation believes that there is room for further improvement in the mechanism for peacekeeping consultations, and we think that the idea of institutionalization might be more closely examined.

Poland notes with satisfaction the further improvements in the functioning of the sanctions committees that were made on the basis of decisions contained in the note of the President of the Council dated 24 January 1996. This process must be continued.

Speaking of sanctions, I should like to stress that every effort should be made to minimize the unintended side effects of sanctions, that is, to limit, insofar as possible, the unnecessary suffering of those who are not responsible for governing a target country. This factor should properly be taken into account when imposing mandatory measures under Chapter VII of the Charter. We believe the same should apply to the work of the sanctions committees. We expect these committees to address humanitarian issues on a priority basis in each particular case and, if necessary, to bring the matter to the attention of the Council.

In our view, the problem of sanctions deserves further attention by the Council and all other relevant United Nations bodies — namely, the Informal Open-ended Working Group on an Agenda for Peace, the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, the Sixth Committee and the Open-ended Working Group on the reform of the Security Council.

As the President of the Security Council has said, the current report of the Council once again reflects the heavy workload of this body. It held 132 formal meetings, adopted 64 resolutions, issued 62 presidential statements, and spent hundreds of hours in informal consultations. Yet, however high these figures may look, they are still somewhat lower than the corresponding ones of last year, and lower still than those of the year before that.

Of course, the well-known changes in the Council's agenda are definitely behind this decrease. I would venture to say, however, that the Council's enhanced ability to better shape its response to the crises with which it has been dealing, as well as its increased efficiency, may also be attributed, at least partly, to those changes. I am stressing this point because on previous occasions of this kind certain delegations rightly pointed to the risk of the Council's becoming increasingly prolific, thus lessening the value of its message.

I should like to share one more observation with regard to numbers. Out of 132 formal meetings of the Security Council, 45 were devoted to the situation in the former Yugoslavia and 42 to issues related to the African continent. As of now, the Yugoslav crisis has partly fallen off the agenda. The conflicts in Africa, however, are clearly going to stay with us for some time.

The Council's experience with emergency situations prompts me to make two other points: first, to emphasize the importance of cooperation between the Security Council and regional organizations; and secondly, my delegation firmly believes that the United Nations rapid deployment capability is in need of further enhancement and improvement. We welcome the recent progress in the process of creating a rapidly deployable headquarters team. It is our hope that the team will become operational as previously scheduled, that is, at the beginning of next year.

These are the comments of the Polish delegation on the work of the Security Council on the occasion of the examination of the Council's annual report to the General Assembly. Being a non-permanent member of the Council at the halfway point of our term, we attach great significance to the views of the delegations that have already spoken and those that will do so today. A harmonious relationship between the Security Council and the General Assembly constitutes a *conditio sine qua non* for the smooth and efficient work of the whole Organization. While satisfied with what has already been achieved, we, like other delegations, would also like to see further progress in bringing the General Assembly and the Security Council closer together. We are ready to make our contribution towards realizing this objective.

Mr. Eitel (Germany): We welcome the presentation of the report of the Security Council to the General Assembly. It reflects the vast agenda with which the Council had to deal between June of last year and June of this year. As the President of the Security Council, Ambassador Wisnumurti, put it, the report is a guide to the previous activities of the Council. As a guide, it does not replace substance. It serves, rather, as an indicator of direction and as a reference.

From a German perspective, three aspects deserve particular mention in this context: first, the format of the report; secondly, transparency and related measures; and thirdly, the overall reform context.

Any comment on the Security Council report would be incomplete without a reference to the widespread dissatisfaction in the General Assembly regarding its format. My delegation shares that dissatisfaction. In our opinion, future reports could and ought to be both more concise and more substantial.

As to the first of these two criteria, the volume of this year's report has been reduced by 10 per cent compared to the previous one. However, the report still has more than 300 pages. That reflects the enormous workload of the Council, but it may also leave some leeway to make the report even shorter and more precise. The wording of many parts of the report is identical to that of last year's edition. In our view, it should be possible to replace these formal and repetitive portions with more substance and analysis, for instance in the introduction to the report. Thus, the General Assembly and its President would be helped in assessing and debating the report. This aspect is rightly mentioned in the report of the Open-ended High-level Working Group on the Strengthening of the United Nations System (A/50/24). Proposals to achieve these goals are on the table in the Informal Working Group of the Council concerning the Council's documentation, but views diverge on how to proceed. My delegation is one of those that have been and will continue to be actively interested in the matter.

A careful reduction in the number of matters of which the Security Council is seized could also contribute to a shorter and more precise report. After extensive consideration in the Informal Working Group of the Security Council concerning the Council's documentation and other procedural questions, the Council approved, during the German presidency, the final version of a mechanism that provides for a yearly deletion of topics that have not been considered by the Council for five years. At the same time, it allows any Member State to have any item retained through a simple notification to the Secretary-General. This last element enhances not only the transparency of the Council's work but also the cooperation between the Council and all States Members of the United Nations.

I now turn to the subject of transparency and related measures. During its two presidencies, in June 1995 and August 1996, Germany tried to ensure an extensive, substantial briefing of non-members of the Council by the President of the Council on a daily basis, thereby implementing previous measures adopted by the Council. It successfully asked for more open meetings of the Council, thus opening the Council to the general membership, including observer delegations. The

improvement of transparency is also one of Germany's central concerns with regard to the sanctions committees. In particular, our chairmanship of the Committee established by Security Council resolution 661 (1990) on the situation between Iraq and Kuwait gave us the opportunity to contribute to this matter.

Among the various measures adopted I will mention only the new practice of comprehensive briefings by the Chairman for non-members and the press immediately after each Committee meeting. Judging from the reactions we have received, this has provided welcome help for non-members in reaching a better understanding of the work of the Committee. But we do not see these measures as the end of our efforts; they are steps in the right direction and must be continued.

Enhanced transparency was also at stake when the question of coordination between the Security Council and troop-contributing countries to peacekeeping operations was discussed over several months. Germany actively supported and contributed to the efforts initiated by Argentina and New Zealand aimed at an improvement of the regime that then existed. Without a doubt, the arrangements set out in the presidential statement (S/PRST/1996/13) of 28 March 1996 are an important step forward. Their implementation will, however, have to be kept under review, and we stand ready to come back to the issue if need be.

We now turn to the third and last topic, the overall reform context. Chapter 23 of the report contains the statement of the President of the Security Council on 26 September 1995 in commemoration of the fiftieth anniversary of the United Nations. She stated:

> "The Security Council recognizes that the challenges facing the international community demand a resolute response, based on the principles and purposes of the Charter of the United Nations. The members of the Security Council consider that the United Nations must be strengthened and revitalized to help meet these challenges. They take note of the conclusions of the Working Group of the General Assembly on the Question of Equitable Representation on and Increase in the Membership of the Security Council and other Matters Related to the Security Council, *inter alia*, that the Council should be expanded, and that its working methods should continue to be reviewed." *(S/PRST/1995/48)*

Improving the transparency of the Council and improving its composition and size are two sides of the same coin. Both elements are connected. They are not hostage to each other, but sisters.

These are not the only connected elements. Another important aspect is the relationship between the Security Council and other organs. The most prominent among these is the General Assembly. The reform of the General Assembly, the only organ in which all Member States are equally represented, has been one of the main focuses of discussion of the agenda item "Strengthening of the United Nations system", the present stage of the consideration of which we just concluded this morning. A more transparent Security Council would lead to a stronger General Assembly. Further measures should be taken to strengthen the latter even more. However, all measures must be balanced and take place in the context of a comprehensive approach that includes both bodies. The documents submitted by the Working Group on the Strengthening of the United Nations System give a strong indication of those aspects.

Another example in this context is the Czech proposal made in the Working Group on the reform of the Security Council. A broader, teleological interpretation of Article 31 of the Charter could lead to more frequent invitations to non-members to participate in the discussions of the Council whenever the latter considers that the interests of a non-member are especially affected.

I am confident that the capacity and effectiveness of the United Nations can be further strengthened, and the representative character of its organs enhanced and their working efficiency and transparency improved. Many of the constructive suggestions made by Member States will contribute to that end. They are an integral part of the reform package aimed at making the Council more transparent, more credible and more capable of maintaining peace and security. With the necessary political will and determination, this goal can be reached without undue delay.

Mr. Rodríguez Parrilla (Cuba) (*interpretation from Spanish*): For more than five consecutive years, year after year, many countries have stepped up to this rostrum to suggest how best the report of the Security Council might fulfil the role for which it was designed: providing all States Members of the United Nations with the information they need to determine whether the Security Council is acting on their behalf, as provided for in Article 24 of the Charter of the United Nations, or not.

Regrettably, once again, the report before us is nothing more than a sterile account, a list of items and documents, with no thorough or objective examination of the diverse and very important matters that the Security Council has had to deal with during the year it covers. Although the report also lists the decisions and actions taken by the Council, it does not include information on the goals pursued by the Security Council in adopting its resolutions or presidential statements.

We have said more than once that the Security Council's report is aimed at States and not at libraries or documentation centres, which is why it should be analytical and explicit enough to help Member States and the General Assembly in their policy-making process.

Naturally, communication of this report cannot simply be seen from a mechanical perspective. In our opinion, nothing can be solved by submitting it to the Assembly in a purely formal way. It is the Council's responsibility to provide thorough information to the Assembly; the latter has the right to discuss the report, the issues it contains and the measures that the Council has taken during the period to draw up, in accordance with the Charter, the recommendations that the 185 States Members of this Organization deem appropriate. Can we do that with a report like the one before us now? Does this report offer enough analysis for us to be able to work in any depth so that the international community as a whole can contribute to the work of the Security Council?

Also for many years, in the most varied forums of this Organization, the need for more transparency in the work of the Council has been bandied about. This report of the Security Council is precisely one of the elements proving that, even if some progress has been made in terms of transparency, a great deal has yet to be done and to be achieved. We are convinced that the members of the Security Council themselves would benefit from preparing a thorough and analytical report. The debate on it would provide a wealth of information that the Council could use in its work. It would give the Security Council a new sense of legitimacy and thus spare its members from the understandable doubts and criticisms they have at the moment about this organ.

The Charter also provides for the Security Council to issue special reports. The items permanently on the Council's agenda are so numerous and so important that it would be expedient for it to advise the Assembly on everything that, one way or another, might affect international peace and security; on cases in which sanctions or other coercive measures are applied; on the establishment, fulfilment or change of mandate of peacekeeping operations; or on all other actions where the Security Council itself would do well to secure a broad international consensus. In short, we are convinced that it would be better if States respected Security Council decisions, not just because they are obliged to do so under the Charter, but because they feel that they are part of a decision-making process that is not confined to 15 States but involves them all on an equal footing.

We hope the situation will be redressed and that, in the future, the Member States will be provided with frequent, serious, analytical, illustrative and in-depth special reports.

We believe that, of late, greater transparency has been the order of the day in the Security Council's sanctions committees and that their decision-making process has grown more independent. Nevertheless, we still frequently see the work of those committees being influenced by certain unilateral, sometimes even arbitrary, decisions that have nothing to do with the opinion of the international community as a whole on whatever case is being dealt with.

Hence, it is also important that the annual report of the Security Council give a substantive assessment of the work of the sanctions committees instead of merely providing a factual enumeration of the resolutions and presidential statements adopted with regard to sanctions or coercive measures imposed under Chapter VII of the Charter.

In the current international situation, where conflicts are constantly growing in number and complexity, the General Assembly must de facto and *de jure* assert the powers and prerogatives conferred upon it by the Charter, including those in Chapter IV. That is why a group of States Members of this Organization has undertaken to prepare, negotiate and submit at this fifty-first session a draft resolution on the report of the Security Council.

My delegation actively participated in this interesting process which, we hope, will lead to the adoption of a text that expresses the will of the General Assembly and seriously and rigorously promotes a mechanism whereby the Security Council can account for itself to all Member States in a transparent and timely manner.

The President took the Chair.

Programme of work

The President: I should like to make an announcement concerning agenda item 12, entitled "Report of the Economic and Social Council". The report of the Council has been circulated in document A/51/3. Chapter V, section F of the report of the Council concerns non-governmental organizations. This section contains the text of Council decision 1996/297, entitled "Non-governmental organizations", by which the Economic and Social Council:

> "decided to recommend that the General Assembly examine, at its fifty-first session, the question of the participation of non-governmental organizations in all areas of the work of the United Nations, in the light of the experience gained through the arrangements for consultation between non-governmental organizations and the Economic and Social Council". *(A/51/3, chap. V, sect. F, p. 187)*

Members will recall that at its 3rd plenary meeting, held on 20 September, the General Assembly decided that it would consider chapter V, section F of the report of the Economic and Social Council directly in plenary meeting. I have requested the Permanent Representative of Pakistan to the United Nations, Mr. Ahmad Kamal, to undertake informal soundings on this issue early, both with Member States and with non-governmental organizations, in order to make a proper determination on the methodology, as well as on the substantive issue of facilitating the participation of non-governmental organizations in all areas of the work of the United Nations. Ambassador Kamal has graciously accepted.

In this connection, I would like to inform members that the first meeting of the informal soundings will be held on Monday, 2 December 1996, at 10 a.m. in Conference Room 8.

The meeting rose at 1 p.m.

United Nations A/51/PV.66

General Assembly

Official Records

Fifty-first Session

66th plenary meeting
Tuesday, 26 November 1996, 3 p.m.
New York

President: Mr. Razali Ismail ..... (Malaysia)

In the absence of the President, Mr. Turnquest (Bahamas), Vice-President, took the Chair.

The meeting was called to order at 3.05 p.m.

Agenda item 11 *(continued)*

Report of the Security Council (A/51/2)

Mr. Konishi (Japan): I would like to thank the President of the Security Council, His Excellency Ambassador Nugroho Wisnumurti, for his presentation of the annual report of the Security Council to the General Assembly.

In today's world, peace and stability cannot be achieved and maintained solely on the basis of political or military power. Attention to humanitarian concerns, as well as to the need for social and economic development and national reconstruction, have also come to be recognized as increasingly essential components of the effort to secure peace and stability. On the basis of this recognition, Japan is determined, as a member of the Security Council beginning next year, to contribute to the achievement of the Council's objective of ensuring peace and stability in various parts of the world.

While the United Nations Charter has entrusted the Security Council with the primary responsibility for the maintenance of international peace and security, we must not forget that the General Assembly also has an important and meaningful role to play in this regard. It is thus important that these two bodies forge a coordinated and complementary relationship.

My delegation has on numerous occasions emphasized the need to strengthen the effectiveness and legitimacy of the Security Council by restructuring its composition as well as by improving its working methods and transparency. We continue to believe that these two aspects of reform should be addressed in a comprehensive package of measures. The entire United Nations membership should make every effort to reach agreement in the near future on concrete measures for the comprehensive reform of the Security Council.

For the purposes of today's discussion, however, I would like to focus on the goal of greater transparency in the Council's work and improved interaction between the Council and those States which are not members.

My delegation is gratified that the Council has in fact introduced numerous constructive changes in this regard. More needs to be done, however. Japan believes that this is an endeavour in which the members of the Council and the wider United Nations membership can, and indeed should, work together, inasmuch as improved working methods and greater transparency will benefit not only the Council but the Organization as a whole. In working towards that goal, however, care must be taken lest the Council's efficiency and the flexibility it needs in carrying out its duties be diminished. Japan intends to devote its energies to improving two-way communication between the Council and non-members when it begins its two-year term on the Council in 1997.

96-86901 (E)

This record contains the original text of speeches delivered in English and interpretations of speeches delivered in the other languages. Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned, *within one month of the date of the meeting*, to the Chief of the Verbatim Reporting Service, Room C-178. Corrections will be issued after the end of the session in a consolidated corrigendum.

Allow me now to comment on some specific measures of reform in this area. My delegation continues to attach importance to the commendable practice introduced in late 1994 of briefings by the Council presidency to delegations which are not Council members. These briefings are a valuable mechanism in the effort to enhance transparency and to keep non-members apprised of developments in the work of the Council. But it is important that they provide truly substantive information and that the President hold them daily whenever the Council conducts informal consultations of the whole. Japan intends to do so when it assumes the Council presidency for the month of January 1997.

Consultations between the Council and troop-contributing countries are another area where practical arrangements are developing. We welcome, in particular, the presidential statement of 28 March 1996 (S/PRST/1996/13) outlining improved arrangements, which we hope will be implemented in a consistent manner. It is especially important that such consultations be held before the Council commences its consideration of a mission mandate in its informal consultations of the whole. During the month of its presidency, Japan will see to it that this practice too is followed. At the same time, troop-contributing countries should also be encouraged to participate more actively in these consultations by offering their own comments and ideas on policy matters.

Throughout the past year there seems to have been increased recourse to holding formal meetings of the Council which are open to non-members. Many delegations, including my own, have taken advantage of these valuable opportunities. We welcome this trend, and would encourage the convening of formal meetings in the orientation debate format before the Council begins its substantive consideration of an item.

Transparency in the work of the Council might also be achieved through the circulation of its tentative monthly programme of work as an official document, through consultations between the Council President, the President of the General Assembly and the chairmen of the regional groups, and so on. We note with appreciation that this year the sanctions committees issued annual reports, and we hope that additional measures will be considered in an effort to improve transparency in their work. Japan intends to keep these issues in mind as it participates in the work of the Council next year.

With regard to the call for the formalization or institutionalization of measures for improving the Council's transparency, my delegation is of the opinion that this question requires a case-by-case consideration, according to the merits of each of the suggested measures. While some measures might prove more effective if they were formalized, others might require the flexibility that is inherent in informal practices. Our objective in this respect should be the achievement of the best substantive results.

It has often been said that the report of the Security Council should contain an analytical component. On the other hand, it has also been argued that it is not possible, practically or politically, for the Council to agree on a narrative or post-mortem assessment of its activities. The Japanese delegation would welcome any substantive improvements in the report, and believes it is useful to that end to discuss it in the General Assembly. Even if the Council as a whole is unable to present analytical assessments in its report, the insights of its individual members could enhance the Assembly's discussion. We would therefore like to encourage Member States to present their views on the activities of the Council and to urge more Council members — current, recent and permanent — to speak on this issue. Our thanks go to the members of the Council which are doing so today.

Over the past several years, my delegation has, as a non-member, closely followed the work of the Security Council. It is well aware of the need for greater transparency in the work of the Council and for greater interaction between the Council and the general membership of the United Nations. Japan is looking forward to its membership on the Council as an opportunity to examine and explore, in practical terms and in cooperation with other members, how the Council can best respond to that need.

Mr. Tello (Mexico) *(interpretation from Spanish)*: Mexico attaches particular importance to the report that the Security Council submits yearly to the General Assembly. In so doing, the Council discharges its obligation under Article 24 of the Charter to report to the General Assembly on measures adopted on behalf of all Member States to maintain international peace and security. At the same time, in considering such measures the Assembly is doing its duty under Article 15. This is why consideration of the report before us today is an essential communications link between the two organs.

We have noted with particular satisfaction that at this time when Member States must take important decisions on the future of the United Nations,

communication between the President of the Security Council and the President of the General Assembly has been continuous and fluid. We hope that this practice will continue and strengthen.

We thank the Permanent Representative of Indonesia, Ambassador Wisnumurti, President of the Security Council for the month of November, for introducing the report on the period between 16 June 1995 and 15 June 1996. We are pleased that this continues an important practice that began in 1993, and that efforts are continuing to improve the presentation of the report.

We would like to refer to the first part of the report, on questions considered by the Security Council under its responsibility for the maintenance of international peace and security. Mexico has said that recourse to measures under Chapter VII of the Charter must be exceptional and should be used only after machinery for the peaceful settlement of disputes has been exhausted. Of course, Chapter VII of the Charter is one of the fundamental bases of the United Nations for the maintenance of international peace and security, but using it excessively erodes the credibility of the Security Council and thereby the credibility of the United Nations as a whole.

The letter and the spirit of Chapter VII are basically different from those of peacekeeping operations, which, while not provided for in the Charter, have in their own right created special premises on which they are based. In order to preserve their effectiveness, it is essential to maintain a distinction between the two.

While recently the number of peacekeeping operations and participants in them has declined, the mandated scope of those operations has continued to broaden. The contribution of the United Nations may be decisive in various well-known conflicts. This is why we must ensure an equivalency between the mandates and the human and material resources to discharge them, particularly considering that establishing a peacekeeping operation is generally not a short-term commitment. Specifically, we must ensure that the scope of a mandate is entirely in line with the parameters that the parties to the conflict themselves agree to for accepting United Nations support. We must not forget that peace cannot be imposed.

I would also like to refer to cooperation between the United Nations and regional organizations and agreements. We consider that cooperation must respect the regional bodies' mandates and the provisions of Chapter VIII of the Charter. Not only is it necessary for there to be very close coordination between the United Nations presence and the presence made available by agreements and organizations, but there must also be common objectives, means and aims. The action of regional organizations must not exceed their own legal framework.

We believe that chapter 25 of the report, "Security Council documentation in working methods and procedures", is highly important, since the search for transparency and democratization in the methods of work and procedures in the Security Council will strengthen the Council's work. Not only is it natural for Member States to have an abiding interest in having a comprehensive view of the Council's activities, but they wish also to convey their viewpoints on matters that are of interest to them and affect them. This concern was clearly demonstrated in the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters Related to the Security Council, where various proposals were put forward, including some on the report before us today.

Our desire for greater transparency and democratization is related to the need for States Members of the Organization to contribute constructively to the work of the Security Council. Mexico has no doubt that greater support by all Members of the United Nations for Security Council decisions would enhance the capacity, efficiency and effectiveness of that organ, which is entrusted with the maintenance of international peace and security.

Accordingly, we welcome the French initiative, supported by the Council in December 1994, to hold public meetings more frequently, particularly at the initial stage of the consideration of an item. We encourage the Council to strengthen this practice. We also believe that it is necessary to use the entire potential of Article 31 of the Charter, according to which any member of the United Nations can participate without the right to vote in the discussion of any question brought before the Security Council. This proposal to ensure the exercise of a right enshrined in the Charter, which was proposed by the Czech Republic in another forum, deserves our entire support.

We welcome the fact that members of the Council have agreed to the proposal that the Chairmen of the sanctions committees, should give oral briefings to interested Members of the Organization; we are especially pleased that those meetings are announced in

the *Journal of the United Nations*. We have noted that in specific cases mentioned in the introduction to the report, press releases have been issued, decisions on questions of importance have been compiled and made available to interested delegations, and oral briefings have been held for Member States.

The secondary effects of sanctions regimes are cause for concern. This question has been discussed not only in the Informal Open-ended Working Group on an Agenda for Peace but also in the Sixth Committee. We believe that it is necessary to strengthen the practice of listening to all the comments of States and organizations interested in the questions debated in the closed meetings of the sanctions committees.

My delegation remains convinced that it is time for the special reports provided for in Articles 15 and 24 of the Charter to materialize. It would be very useful if, in the case of operations that have come to an end, the Security Council were to submit a report to the General Assembly containing a precise assessment of the achievements and the problems encountered. On other occasions, we have said also that quarterly reports from the Council to the Assembly would contribute to communication between the two. The practice of having the President of the Security Council periodically brief delegations interested in the work of that body has been very useful, as has the fact that they were announced in the *Journal of the United Nations*. We believe nonetheless that a rapporteur of the Council charged with reporting to Member States would even further enhance cooperation between the Council and the rest of the membership.

An area of primary interest to all is consultations between the Security Council and troop-contributing countries. Those who provide personnel to peacekeeping operations have a very legitimate interest in participating in decisions that could put the lives of their soldiers in jeopardy: resolutions that directly affect those who work for and often sacrifice themselves for the cause of peace. The statement made by the President of the Council last March on this question, based on an initiative by Argentina, New Zealand and a large number of other delegations, improved the important practice of consultations. We hope that this mechanism will continue to improve with experience and that in the introduction of the next report submitted by the Council to the Assembly, point (l) of the March statement will be complied with. That paragraph indicates that the Council will annex to its annual report information about meetings with troop contributors.

Let us not forget that the Security Council has no authority of its own. The Members of the United Nations have conferred upon it the primary responsibility for the maintenance of international peace and security. It acts on behalf of all, and not solely on behalf of its members. This underlies the Council's responsibility vis-à-vis the Assembly. We hope the measures adopted by the Council to improve transparency will be consolidated, institutionalized and expanded. We want new and better channels of communication between the Council and the Assembly, and between Member States and the Council. The maintenance of peace and security is, after all, a shared goal of all the States Members of the United Nations.

Mr. Ayewah (Nigeria): Let me begin by thanking the President of the Security Council, the representative of Indonesia, for introducing the annual report of the Council covering the period from 16 June 1995 to 15 June 1996, contained in document A/51/2.

The recent practice whereby the Council's President introduces the report to the General Assembly serves a number of purposes. First, it helps to enhance and strengthen the relationship of cooperation between the Security Council and the General Assembly. Secondly, it affords the General Assembly the opportunity to inform itself further about the activities of the Security Council and, it is hoped, the future direction of its work. Thirdly, it underscores the importance of accountability. The Security Council acts on behalf of the entire membership of the United Nations. Therefore, it should report on its activities to the General Assembly, the most representative body of the Organization. In so doing, it assures itself of and ensures the support of the Assembly members for the activities and decisions taken on their behalf by the Council.

Since the establishment by the Security Council in June 1993 of an informal Working Group on documentation and other procedural matters, and partly as a result of the work of the Open-ended Working Group on Security Council reforms, a series of steps have been taken by the Council to provide for greater transparency and increased interaction and consultation between the Council members and non-members. Those have included regular briefings by the presidency of the Council for non-members, which have now become an established practice. There is also the briefing for chairmen of regional groups. The chairmen of the various sanctions committees have occasionally briefed the United Nations membership on their closed-door activities.

Furthermore, there was an agreement to have increased recourse by the Security Council to open meetings, particularly at an early stage of the consideration of a subject. All these have added a salutary contribution to the credibility of the Security Council, but fall short of the desired openness and transparency United Nations Member States expect of the Council. Closed-door consultations continue to be the Council's preferred approach.

Another important improvement is the institutionalization of the system of consultations between Security Council members and troop-contributing countries. The mechanism that was set up in 1994 has witnessed further refinements, the latest being the presidential statement adopted by the Security Council in March 1996 on the subject. The process of improvement is a continuing one, and that needs to be so, given the increasing complexities and demands of United Nations peacekeeping operations. As a major troop-contributing country of long standing, Nigeria takes the view that consultations between troop contributors and the Security Council are not only desirable, but necessary, for the full discharge of our Charter obligations.

As part of the efforts to improve the documentation of the Security Council, the members of the Council, through its President's note contained in document S/1996/603, further clarified by the note contained in document S/1996/704, have instituted measures to help determine which items should be deleted from the Council's agenda, and when.

We wish to emphasize, however, that in matters of this nature, given the high sensitivity and importance a Member State or group of countries may attach to a particular item, the Council must make haste slowly. After all, the Council's main responsibility is the maintenance and promotion of international peace and security, and not any bureaucratic rationalization.

My delegation thanks the Secretariat for the efforts that have gone into the preparation of this report. We are aware that much time and a lot of resources have gone into its production. Nonetheless, the report basically remains a compilation of the various communications received by the Council and the decisions adopted by it during the reporting period. We believe that the report should provide an analysis of the activities of the Security Council, the decisions that have been taken, and how far those decisions have evolved over time, particularly at the implementation phase. It would be very useful to know whether a particular decision has helped to move the process forward towards the resolution of the problem and what lessons, if any, could be learned. While realizing that this would involve a lot of work and enormous resources, we believe that it is the only way to have a user- and reader-friendly report on the Council's activities.

The workload of the Council in the discharge of its primary responsibility for the maintenance of international peace and security continues to be heavy in the post-cold-war era. It has increased not only in volume, but in scope. Although the statistics for this reporting period, in terms of the number of formal meetings, resolutions, presidential statements and hours of consultations, show a decrease compared to the preceding 12-month period, it is still a heavy responsibility and a reflection of the changed international political environment.

Similarly, although there has been a decrease in the number of United Nations peacekeeping operations and troop levels from the record high of two to three years ago, it continues to be a critical concern of our time. The majority of peacekeeping operations currently being undertaken by the United Nations are located in developing countries. Africa accounts for a large part of this. Nonetheless, there are major crises and conflicts still raging on the continent which have not received the full attention of the Security Council. Some of these conflicts have become the responsibility of regional or subregional organizations by default. In that connection, my delegation has always adverted to the need to avoid the appearance of double standards in the Council's handling of conflicts that have the potential for undermining international peace and security. After all, international peace and security are indivisible, and that is the essence of collective security.

In conclusion, my delegation believes that if there were still any doubt about the need for reform of the Security Council in all its aspects, including its working methods and procedures and its decision-making processes, the current exercise to appoint a Secretary-General must surely have erased those remaining doubts. We ask ourselves: Where is democracy or transparency in the decision-making process if the overwhelming desire of the majority is held hostage to the political posture of one State, however powerful, and if the collective decision of an entire continent is seemingly being overridden by that posture? How do we describe the outcome of the process as truly representing the view of the international community if it succeeds in alienating a whole continent? Should we not subject the question to

a democratic voting process in the General Assembly right away? Surely the Security Council is in dire need of reform and restructuring, and we all must recommit ourselves to that undertaking in the interest of equity, justice and the democratic ideal.

Ms. Menon (Singapore): I would like at the outset to associate myself with previous speakers in thanking the President of the Security Council, Ambassador Nugroho Wisnumurti of Indonesia, for the submission and introduction of the report of the Security Council covering the period from 16 June 1995 to 15 June 1996.

The General Assembly has, in resolutions 47/233 and 48/264, stressed the importance of revitalizing the work of the General Assembly. The role of the General Assembly, which is universal in membership, must be enhanced so that it can exercise the functions and powers assigned to it under the United Nations Charter and play an effective role.

Resolution 48/264 stressed the importance of

> "enhanced cooperation and an effective relationship between the General Assembly and other principal organs, particularly the Security Council". *(resolution 48/264, para. 1)*

The enhanced cooperation and effective relationship between the two bodies can be operationalized in many ways. My delegation has stated its views on this subject in the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters Related to the Security Council and in the 'Open-ended High-level Working Group on the Strengthening of the United Nations System.

As resolution 48/264 recognized, one way of enhancing the relationship between the General Assembly and the Security Council is for the Council to provide timely and more informative accounts of its work in its reports to the General Assembly so that the Assembly can have a more in-depth discussion of matters contained in the reports. The reports at present tend to be of a routine and superficial nature and are submitted to the General Assembly only once a year, in most cases long after decisions have been taken by the Council and conflicts resolved. Also, the report is only a record of the formal meetings of the Council. The routine report of the Council to the General Assembly has become just another item on the overloaded General Assembly agenda, and delegations go through the ritual each year of commenting on the Security Council report. These have become academic exercises to which little attention is being paid.

It is well known that most of the work of the Council these days is conducted in informal consultations. It would be helpful if the report of the Security Council could include some information about or a summary of informal consultations, including those with troop-contributing countries, that eventually led to a Council decision on a particular issue. An assessment or even an indication of how the outcome of the Council's decisions on an issue affected the situation in question would also be helpful. Instead of an annual report, the Council could also consider submitting periodic reports to the General Assembly after it takes important decisions, such as on the establishment or termination of a peacekeeping operation or a change in its mandate, and on the imposition or termination of sanctions against a Member State.

The current unsatisfactory state of affairs with regard to the submission of the annual report of the Security Council to the General Assembly is a reflection of a general lack of transparency and of interaction between the Council and the larger membership of the United Nations. There is a need to establish a more interactive relationship between the General Assembly and the Security Council which would provide for more consultations between the Council and the general membership and hence increase the legitimacy of the Council's decisions.

It is in the spirit of operationalizing the "enhanced cooperation" and "effective relationship" between the General Assembly and Council referred to in resolution 48/264 that my delegation supported the suggested new interpretation of Article 31 of the Charter, which was proposed by the Czech Republic earlier this year in the Open-Ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters Related to the Security Council. This would allow for the participation of non-members of the Security Council in informal consultations when questions affecting them are being considered by the Council.

Informal consultations of the Security Council are an innovation that has evolved over the years. All the most important decisions of the Council are now made informally. Reinterpreting Article 31 to include informal consultations within its ambit would, therefore, narrow

the gap between the original intent and spirit of Article 31 and its actual contemporary implementation. Article 31 was included in the Charter precisely to reconcile the reality of great-Power leadership with the principle of sovereign equality. By so doing, it ensured that the legitimacy of Security Council leadership would be accepted by the international community. It deals with an issue that is of direct importance to the small States that make up the vast majority of Members of the United Nations. It is not unreasonable to ask for direct access to the most important decision-making process for those whose interests will be most affected by its decisions.

While the Charter confers on the Security Council the primary responsibility for the maintenance of international peace and security, the Council is by no means solely responsible for questions of international peace and security. Articles 10 and 11 of the Charter provide for the General Assembly to make recommendations on the maintenance of international peace and security. We need to look more carefully at how Articles 10 and 11 can be interpreted in the light of contemporary realities. The General Assembly, for example, has had no say in the creation of the peacekeeping operations which have been established by the Council to deal with ethnic and civil conflicts which have taken place since the end of the cold war. Nevertheless, all Member States are presented with the bill for financing the peacekeeping operations which have been established.

It would, of course, take too long if the General Assembly were to consider and decide on the creation of every peacekeeping operation. However, there must be a way for better and more structured consultations between the General Assembly and the Council before the establishment of peacekeeping operations. It is not satisfactory for the Council merely to report to the General Assembly after the event.

The vast majority of States members of this body have voiced these sentiments in the last few years in various forums, highlighting the need for improvements in the working methods, procedures and decision-making processes of the Security Council to make it more transparent and democratic. Only a truly transparent, accountable and responsive Security Council can exercise legitimate and representative leadership in the twenty-first century. We hope that these views will be considered seriously by the great Powers, especially the permanent members of the Council. They have so far not responded positively to any of these proposals. Unless they are willing to genuinely engage the other Member States on this fundamental issue of interest to all of us, the prospects for change or reform are not, in my delegation's view, very bright.

Mr. Legwaila (Botswana): My delegation welcomes the annual report of the Security Council to the General Assembly (A/51/2), which is being submitted pursuant to Article 24, paragraph 3, of the Charter of the United Nations. We wish to express our gratitude to the President of the Security Council for his introductory remarks to the report. Botswana attaches the utmost importance to the work of the Security Council as the principal organ of the United Nations charged with primary responsibility for the maintenance of international peace and security.

My delegation has had the privilege of participating in the work of the Security Council in the last two years and it therefore has an appreciation of how the decisions catalogued in this report were reached. We, however, wish it could contain more substance and give more insight into how and why certain decisions were taken instead of others, perhaps equally deserving, so that it could be better appreciated by the majority of the Member States. As it is, the report is a bare list of Security Council decisions, without any explanation of how these decisions were made or whether they were all implemented. We therefore share the frustration and the growing demand for a more substantive report on the proceedings of the Security Council.

We should not, however, let our frustration at this scanty report obscure the positive developments that have occurred in the way the Security Council operates. The Security Council has undertaken steps to increase the transparency of its proceedings. The procedures of consultation between the members of the Council and countries contributing troops to the United Nations peacekeeping operations have been further improved to allow for a more direct exchange of views between the two sides.

The presidency of the Council now conducts regular briefings for non-members on the outcome of the informal consultations of the Council as a matter of course. It should be stated parenthetically for the record that attendance at these briefings is rather disappointing. This applies with equal validity to attendance at and participation in the open debates of the Council. Furthermore, Arria-style meetings are held more frequently with non-members of the Council and

individuals whose views are important to the deliberations of the Council on any given subject of interest to it.

We are, however, the first to agree that a lot more remains to be done to improve transparency in the work of the Council. The primary objective should be more frequent and systematic consultations between the Council and the general membership of the United Nations, as the Council is carrying out responsibilities entrusted to it by the Member States of the United Nations.

Member States have demonstrated their willingness and determination to contribute to the maintenance of international peace and security. In this respect, they have been dependable partners in the arduous task entrusted to the Security Council. In the most recent years, we have seen regional organizations assume a much greater share of responsibility in the maintenance of peace and security in their own backyards. The role of the Economic Community of West African States Monitoring Group in Nigeria; the Arusha regional summit with respect to Burundi; and the Southern African Development Community with regard to Angola are cases in point.

It should, however, be made abundantly clear that regional arrangements cannot be expected to assume responsibility for the maintenance of international peace and security. The Security Council alone is charged with that responsibility. There is a need for the Security Council to respond quickly and in a timely manner to emergency situations and coordinate its activities closely with those of the regional organizations.

It is important for the Council to increase the number of open meetings to enable a smooth and systematic exchange of views between the Council and non-members. In the view of my delegation, the Security Council should make it a practice to discuss reports of the Secretary-General in open meetings in order to give non-members the opportunity to contribute ideas to the subject in question. This practice could also be extended to the renewal of the mandates of peacekeeping missions.

One cannot discuss the report of the Security Council without raising the question of the reform of the Council. The Open-ended High-level Working Group on the Strengthening of the United Nations System has been meeting for some time now and it is important that it conclude its work as soon as possible. I am sure that all Member States agree that the Working Group should not have an open-ended discussion without any prospect of bringing its work to finality. The case for an increase in the membership of the Security Council to make it more representative of the membership of the United Nations has already been made. The Working Group is bogged down in the details of the criteria for qualification for membership of the Council.

Speakers before me have suggested a number of changes to improve the working methods and procedures of the Security Council. We support many of those proposals, which include the creation of subsidiary bodies to assist the Council in its functions; the need for the provisional rules of procedure of the Security Council to be revised and finalized; the need for regular meetings between the President of the Security Council and the President of the General Assembly; and more transparency in the work of the Council sanctions committees. In general terms, what everyone is calling for is more transparency and openness in the work of the Council. We should continue to refine and build on what has been achieved thus far. The decisions taken in an open and transparent manner can only enhance the credibility and authority of the Council.

On the question of the election of the Secretary-General of our Organization, which is currently locked in a stalemate, we fully share the very apt sentiments expressed a few minutes ago by my colleague, Ambassador Ayewah of Nigeria.

Mr. Gomersall (United Kingdom): The United Kingdom welcomes this opportunity to consider the annual report of the Security Council to the General Assembly (A/51/2). The Permanent Representative of Indonesia, who is this month's President of the Council, has already spoken on behalf of the members in introducing the report. This debate provides a useful occasion to consider the manner in which the Council carries out its Charter responsibilities for the maintenance of international peace and security and the way in which it keeps the wider membership informed of its activities.

During the period covered by this report — June 1995 to June 1996 — the Council once again had a heavy agenda. Among the more encouraging developments were the end of the war in Bosnia and the first steps towards securing the peace there; the progress towards the implementation of the peace agreements in Angola; and the consolidation of democracy and stability in Haiti. The Council has devoted a great deal of its attention to other African issues — in Western Sahara, Liberia and the Great Lakes region. The year saw decisive progress made towards the implementation of Security Council

resolution 986 (1995), which we believe is about to come to fruition.

My delegation attaches great importance to the Council's efforts over the year to develop its working methods so as to increase the transparency of its work to the membership of the General Assembly. Greater resort to open meetings of the Council has now become an established part of the way the Council works. It provides a valuable additional input into the Council's deliberations and gives members and non-members alike a greater insight into the views of the parties directly concerned on the most pressing issues before the Council. We are open to more such meetings at the initiative of the President of the Council, who is always available to Member States. This is one of the ways by which the concerns voiced by the Czech Republic, among other delegations, are being met. Other changes, such as the daily briefings offered by the presidency to non-members, first proposed by the United Kingdom, have also increased the flow of information to those outside. Regrettably, these briefings are not always well attended.

Two other important measures to enhance the Council's transparency and relations with non-members were adopted in the period under review. The first, through the presidential statement of 28 March 1996, significantly enhanced the mechanism for consultation with troop contributors, including potential contributors. Again, we hope more non-Council members will use these meetings to discuss their concerns and inject their views. The second measure, contained in the Council President's note of 24 January 1996, decided that the Chairmen of the sanctions committees should give oral briefings to non-members after each meeting. We warmly welcome both of those changes as examples of the organic, evolutionary change in the Council's working methods that has been under way for some time. We are also attentive to calls for further improvements. We will be listening carefully to suggestions made here today. The forums already exist, in the Working Groups of the Assembly, for formulating recommendations to the Council on these matters.

The Security Council, like the rest of the United Nations, confronts a number of very complex challenges with limited resources. But it has continued to undertake its responsibilities with relative efficiency, in a practical and largely harmonious manner. We will continue to work for the strengthening of the Security Council in practical ways through strengthening the conflict-prevention and peacekeeping infrastructure of the United Nations, and also through its enlargement and the development of its relations with the General Assembly.

Mr. Amorim (Brazil): I should like to begin by thanking the Permanent Representative of Indonesia for his presentation of the report of the Security Council to the General Assembly, and by expressing our appreciation for his personal contribution to the enhancement of the Council's transparency and accountability. All those in the Assembly who try to follow the Council's deliberations closely from the outside have greatly benefited from Ambassador Wisnumurti's professionalism and integrity, and I take this opportunity to congratulate him and his colleagues for their work.

Mr. Azwai (Libyan Arab Jamahiriya), Vice-President, took the Chair.

The report before us reflects an intensity in the Security Council's activity that has become the norm in recent years. The fact that a multiplicity of questions are being brought to the Council's attention is, first of all, a matter for concern, as it points to the persistence of various sources of instability in different parts of the world. Contrary to the initial expectations raised by the end of the bipolar world and the apparent reduction in the risk of a global war, resort to force in international relations continues to prevail in large measure.

On the other hand, the Security Council has been instrumental in the promotion of peace in regions that had become involved in conflicts with an East-West component, as was the case in Central America, Cambodia and Mozambique. But there are still tensions in today's international environment that resonate with echoes from a previous era in defiance of the Council's capacity to act, as is the case in the Middle East, the Korean peninsula and Afghanistan. Meanwhile, the redrawing of boundaries in Eastern Europe and the former Soviet Union has become associated with freedom and democracy as much as with intolerance and cruelty. In Africa, the plight of millions of people ravaged by poverty and war confronts the international community with an often intractable combination of political, humanitarian and economic problems.

At the same time, the Council's heavily charged agenda can be interpreted as a sign of renewed trust in the possibilities offered by the Charter for the settlement of international disputes or as testimony of growing confidence in the advantages of multilateral solutions.

Indeed, the present international context seems more conducive to improved cooperation for the promotion of a safe and peaceful world, with a central role being ascribed to the Security Council.

If we take a critical look at the Security Council's present standing, however, a number of paradoxes emerge. The Security Council seems to have gained in authority, but there are important international issues that are not brought to it for decisive deliberation. The Council appears to have acquired greater influence, but several of its decisions and recommendations have been — and still are — disregarded. Its working methods have undergone changes that have been hailed as positive, yet its decision-making process is still viewed by many as non-transparent. It has become more active, even if its wisdom has not gone unchallenged.

The examination of the Security Council's report provides the General Assembly with an occasion for a debate on the Organization's role in the promotion of peace and security that can be of great value. Our objective today should be to assist the United Nations fully in tapping the possibilities created by the end of the cold war, through an open dialogue on the Council's work involving the membership at large.

As a small step to encourage constructive interaction between the Council and the General Assembly, I propose that the President of the General Assembly should take part in consultations among Council members and the Secretary-General that are of particular interest to the Organization as a whole. Additionally, it might be worth reflecting on the relationship between the Secretary-General and Council members. Most of the decisions taken by the Security Council are based on reports by the Secretary-General. This places enormous responsibility on the person who clears such texts for distribution, as well as on those who draft them. Reports must reflect a balanced diversity of viewpoints in the presentation of information, and propose options that are in conformity with the philosophy of the Charter.

In debating such reports, members of the Council should bring into play all other inputs of relevance to the situation under scrutiny. In addition to issuing presidential statements or proposing draft resolutions for adoption, the Council could enhance its own role as mediator through closer contact with representatives of the conflicting parties or fact-finding missions in the field. Diplomacy and confidence-building must take precedence over precipitate action, just as mediation must take precedence over intervention, and peaceful settlement over coercion.

Decisions involving reference to Chapter VII, whether involving military action or not, should be considered with the utmost caution. Much reflection on the subject of sanctions has taken place within the subgroup, chaired by Brazil, of the Informal Open-ended Working Group on an Agenda for Peace. Particular attention was given to their adverse effects on vulnerable segments of the population and possible ways of minimizing their suffering. The basis for imposing and lifting sanctions constituted a central concern, and the time-frame for their application was also debated. But the many legal, political and humanitarian aspects of the question require further thought, as does the need to give an operative meaning to the provisions of Article 50 of the Charter.

Meanwhile, the conceptual and procedural improvements that are being attempted deserve to be acknowledged, and so does the increased transparency of the sanctions committees. In this regard, a special word of praise should go to Ambassador Tono Eitel of Germany for his diligence as Chairman of the Committee established by Security Council resolution 661 (1990).

The international tribunals established by the Security Council are still struggling to bring to justice alleged violators of international humanitarian law in the former Yugoslavia and in Rwanda. As negotiations on an independent international criminal court acquire a sense of urgency, a new consciousness with respect to the link between justice and peace is being formed, which will hopefully produce a tangible deterrent effect.

Other decisions involving reference to Chapter VII, such as those which are at the origin of present arrangements for the implementation of the Dayton Agreement in the former Yugoslavia, should continue to be closely monitored. The fact that the parties to the conflict have authorized the use of force by the Implementation Force which replaced the United Nations Protection Force (UNPROFOR) brings into existence a curious blend of coercion and consent of the parties that does not stem either from the logic of traditional peacekeeping or from a strict reading of Charter provisions. Whether or not this is a paradigm that can be applied again is a matter requiring detailed analysis.

We are satisfied to note that democracy and national reconciliation continue to make inroads in many regions

which previously experienced civil strife. Central America is a case in point. With the recently announced conclusion of the last phase in the negotiations between the Guatemalan Government and the Unidad Revolucionaria Nacional Guatemalteca (URNG), the entire region can now hope for a future free of violence.

However, the tide of democracy and reconciliation has spread less evenly to Africa. Brazil is especially happy to see that the sister nation of Mozambique has been able to find a path of political stability, which is essential for its economic and social development. Notwithstanding this and other examples, most notably the one provided by the peaceful transition to majority rule in South Africa and its positive impact on many parts of the continent, the frequent setbacks in the implementation of the Lusaka Protocol in Angola and the recent deterioration in the evolving Great Lakes crisis demand international vigilance. In the case of Angola, it is disturbing to note that the appeals of the international community, and even the decisions of the Security Council, have gone unheeded by UNITA. It is our belief that the Organization of African Unity and other subregional groups, such as the Economic Community of West African States and the Southern African Development Community, should retain an essential role in the articulation of focused international responses.

The proliferation of humanitarian emergencies calls for the definition of a collective responsibility in the face of phenomena such as mass starvation, disease and brutality. Not all such emergencies, however, include a security component. Member States should try to evolve a common understanding as to whether the necessary international response should be left to the General Assembly or the specialized agencies, or whether the Security Council needs to be activated in a particular emergency because of security aspects.

In this context, appropriate criteria may have to be developed sooner rather than later to determine under what conditions a situation should be deemed to threaten international security or is likely to endanger international peace, and when a situation can be dealt with by other organs — for example, the General Assembly. If international security appears to be endangered but the situation is not clear-cut, objective parameters may have to be established to determine whether coercive measures are admissible or not. And even when coercion is contemplated and there is no formal need to obtain the consent of the parties, their cooperation should still be sought as a matter of principle, because little success can be achieved without it.

As a country with a long tradition of tolerance among people of varied backgrounds, and with more than 100 years of peaceful relations and close cooperation with its many neighbours, Brazil is strongly committed to the peaceful settlement of disputes and to the principles of multilateralism. Indeed, these values are shared by our entire region and are in perfect tune with the letter and the spirit of the United Nations Charter. As democracy takes on stronger roots and economic development gains ground in Latin America, its capacity to extend solidarity and to seek sound, legitimate solutions for world problems can only increase.

In this regard, may I take this opportunity to congratulate the countries of our region which have participated in the Security Council's work during the period covered by this report — namely, Argentina, Chile and Honduras — for their contribution to its activities during particularly strenuous and challenging times.

Mr. Sengwe (Zimbabwe): My delegation joins those who have expressed their appreciation to Ambassador Nugroho Wisnumurti, President of the Security Council, for introducing the report of the Security Council to the General Assembly.

We had hoped that this year's report of the Security Council to the General Assembly would take into account the concerns of most delegations, as reflected in General Assembly resolution 48/264 and expressed in various other forums such as the Working Groups on the Security Council and on the strengthening of the United Nations system. But this was not the case. This year's report, covering the period 16 June 1995 to 15 June 1996, like previous ones, is a compendium of resolutions and decisions adopted by that important organ of the United Nations. While we agree that steps have been taken to reform the working methods of the Security Council, as alluded to by the representative of Botswana, we still believe that the report is presented in a merely ritualistic manner.

The rest of the Member States sitting in the General Assembly, on whose behalf the 15 Security Council members purport to act, are not privy to the decisions made in the numerous informal consultations which have become the norm rather than the exception. The Council continues to take decisions on matters that affect the destiny of peoples and nations in informal consultations. It is not our intention to go into detail on any of those

cases. What the rest of us get are the bare resolutions that are adopted in the Council chamber.

Apart from the fact that the reports of the Security Council should be analytical and should reflect the debates preceding the adoption of resolutions, the Council should submit such reports on a regular basis because it deals with important matters of international peace and security, affecting all of us. This would be consistent with the principle of accountability and democratic practice.

Zimbabwe fully supports the proposal made by the Permanent Representative of Colombia that this agenda item should remain open to allow the General Assembly to consider it exhaustively. It is our sincere hope that as the Assembly pursues the reform programme through the various working groups that are discussing the reform and restructuring of the United Nations, the Council's working methods would also be reformed in order to make them more democratic and to reflect the interests of the rest of the Member States of our Organization.

Mr. Abdellah (Tunisia) (*interpretation from French*): The General Assembly's consideration of the report of the Security Council enables Member States to present their points of view on ways to strengthen the action of the Council as the organ with the primary responsibility for security and the maintenance of peace and one that acts at the same time on behalf of all States, pursuant to Article 24 of the Charter.

It is in that spirit that we believe that cooperation between the Security Council and the General Assembly should be strengthened, on the basis of Articles 10, 11, 12, 14 and other relevant Articles of the Charter, in order to take account of the widespread demand for greater democratization within intergovernmental bodies.

We believe that the General Assembly, pursuant to the Charter, has a role in peacekeeping and that there must therefore be interaction between it and the Council. The latter should not, therefore, content itself with factual reports to the Assembly.

The Council's activities should be set forth in a way that will allow for an evaluation of the results achieved in the light of the means and resources employed to attain a given objective. For any action by the Council must be justified and explained not merely in terms of the goals set and the results accomplished, but also in terms of the problems encountered and the successes achieved. Lessons can then be derived from the actions undertaken so that guidelines can be laid down for future activities.

It is useful for the Council to submit reports that include sections on the decisions and recommendations of the sanctions committees and on the steps taken to improve its working methods.

Similarly, the Council should submit special reports when it establishes a new peacekeeping operation or changes the mandate of an operation already in progress.

That process should also be followed should the Council decide to impose or lift sanctions or to make any changes in their regime. In this connection, we should think of giving more effective and practical content to Article 54 in order to protect third party States from the harmful effects of sanctions on the economies. In our view, it would be appropriate to formalize consultations with States that might be affected by measures taken under Article 41, or even by the provisions of Article 42 of the Charter. Such consultations would enlighten the Council as to the consequences that might result from its actions and give it an opportunity to take the necessary steps to rectify them.

With the same goal of strengthening relations between the Assembly and the Council, periodic meetings between the Presidents of those bodies should be held with a view to engaging in a constructive exchange of views and as a means to make known the concerns of States with regard to a given item related to international security and peace maintenance.

With regard to the briefings for delegations organized by the President of the Council, we believe that they should lead to a dialogue between, on the one hand, the President of the Council or members of his delegation and, on the other hand, the participants, through a more substantial input of information on Council activities and items under discussion. Given the importance of such briefings, my delegation joins those that wish to see them institutionalized.

Further, the increase in States' participation in the Council's deliberations on items of interest to them is a legitimate demand that can strengthen the Council's action. In this connection, the consultations between the Security Council, the Secretariat and troop-contributing countries represent real progress.

We welcome the fact that the Council, in a presidential statement on 28 March of this year, expressed its determination to strengthen such consultations in the light of past experience.

We believe that it is important to consider improving such consultations to achieve enhanced transparency in the Council's work and an effective participation by troop-contributing countries in the decision-making process with regard to operations in which their nationals are taking part.

This is especially important since a consistent input of the opinions and viewpoints of those countries would be a basic element in enhancing the chances of success of the United Nations mission.

To that end, the institutionalization of consultations with troop-contributing countries through the creation under Article 29 of the Charter of a subsidiary organ attached to the Council might make them more regular and routine.

It should also be possible to give a broader interpretation to Article 31 of the Charter, pursuant to which the Council may invite States to participate in its deliberations when it is seized of an item of concern to them.

Furthermore, discussions open to non-member States should be held at the very outset of the consideration of a given item in order to enable to Council to take into account the proposals and views expressed. The procedure currently in effect, which provides for the participation of States at an already advanced stage in the discussions, cannot have the desired impact on the Council's final decisions.

In conclusion, I should like to emphasize that it is through the Council's taking account of the viewpoints of States with regard to the improvement of its working methods and of its relations with the General Assembly that its action may become more legitimate and more effective.

Mr. Karsgaard (Canada): We welcome this opportunity to review this year's activities of the Security Council on the basis of the Council's annual report to the General Assembly. In our view, the debate on this item is an important occasion for all Member States to comment on the Security Council's actions and decisions. I should like to thank the Permanent Representative of Indonesia, Ambassador Wisnumurti, for having introduced the report to the General Assembly.

The record of the Security Council over the past 12 months illustrates both the Council's successes and its shortcomings in responding to challenges to international peace and security.

With regard to the Council's decisions on peacekeeping operations, a fundamental guiding principle, in our view, is to ensure that mandates set by the Council are matched by adequate resources to carry them out. While the Council is increasingly sensitive to this, it has not always been entirely successful in acting accordingly, including in two cases where Canada was directly involved this year, namely, Rwanda and Haiti.

On Rwanda, the Council decided last December to reduce substantially the force levels of the United Nations Assistance Mission for Rwanda (UNAMIR) while maintaining a mandate that the remaining personnel could not possibly carry out. This led Canada to withdraw its remaining troops from the operation. Decisions like these create false impressions about what an operation can achieve, are potentially dangerous to the personnel concerned and, on balance, tend to diminish the credibility of the Council's decisions.

With regard to Haiti, we strongly welcomed the Council's decision earlier this year to continue its engagement in that country. However, the Council's troop authorization for the United Nations Mission in Haiti (UNMIH) and then for its successor, the United Nations Support Mission in Haiti (UNSMIH), also fell short of what the Secretary-General indicated was required to implement the objectives of those operations. The resulting compromise, whereby Canadian troops were provided to supplement United Nations personnel, was a less than optimal solution. Again, the Council's action resulted in a mismatch between mandates and resources.

We believe that the Council should also have the courage to declare victory when the goals of an operation have been accomplished or to reconsider a United Nations presence in situations where a particular operation is not achieving the objectives for which it was created. As the Secretary-General pointed out in his recent report on the United Nations Preventive Deployment Force (S/1996/961), at this time of financial crisis all peacekeeping operations must be rigorously evaluated in order to determine if their mandates are still relevant and, if so, whether they can be implemented with fewer resources.

The principle reflected in that statement is a key one, and its consistent application across the board to all United Nations peacekeeping operations is essential. Just as we need to ensure when establishing peacekeeping operations that adequate resources are provided to carry out mandates, we also need to recognize when the job has been done or when we should seriously consider the merits of keeping an operation in place. We have a responsibility to ensure that scarce resources are used as effectively as possible. Rather than systematically rolling over mandates of long-standing United Nations operations, in particular the larger ones, they need to be kept under constant review as to their continuing relevance.

Finally, we are concerned about the tendency of the Security Council to rely on options outside the United Nations to respond to certain crisis situations. This is largely because the United Nations, in particular the Department of Peacekeeping Operations, still does not have the resources or capabilities necessary for it to be the instrument of choice when the Council decides to address a particular crisis. This is not the Council's responsibility alone. We continue to fail, as Member States, to provide the conceptual framework within which the United Nations, in particular the Department of Peacekeeping Operations, could develop into a more flexible instrument, more ready to respond to the various and variegated challenges facing us.

In addition to the substance of the Council's activities, my delegation would like to comment briefly also on the Council's decision-making process. We stated during the General Assembly debate on Security Council reform that progress had indeed been made in this area but that more could and should be done. This is especially the case regarding the participation of countries directly affected by an issue being dealt with by the Council.

As a committed troop-contributing country, we are particularly pleased with the enhancement this year of the Council's mechanism for consultations with troop-contributing countries. Our experience this year underlines the need to use this channel for participation in the Council's work more effectively. These consultations are beginning to show results. As both troop-contributing countries and Council members participate more actively, this instrument will undoubtedly become more useful.

We also appreciate the more frequent use this year of Council orientation debates, including those on Afghanistan, Liberia and the Middle East and on landmines. They have served as a useful means of airing international opinion on those issues. Nevertheless, however welcome these orientation debates are, they do not fully respond to the need for greater participation by interested countries in the Council's deliberations on specific decisions. When their interests are immediately involved, either as a directly affected party or as a major troop-contributing country, we believe that Member States should be able to make their case directly to the Council as a whole. This should happen virtually automatically and could include involvement in informal consultations and in deliberations on draft resolutions. Our experience with Haiti and most recently with eastern Zaire are cases in point. In each situation, we believe it would have been entirely appropriate for our delegation to have participated in Council discussions — without, of course, having the right to vote. We believe that greater participation by non-members would allow the Council to take more informed action. This, in our view, would only strengthen the credibility of the Security Council.

My delegation appreciates the efforts made this year by Council members to make their deliberations more transparent. The more consistent system of briefings for non-Council members by both the Council presidency and by the chairmen of the Council's sanctions committees provide regular and welcome channels of information on the Council's work. This is helping to make the Council's activities clearer and therefore more legitimate to the rest of the United Nations membership.

My delegation also strongly appreciates the efforts by individual Council members to keep non-Council members informed. However, we believe transparency might be further enhanced by opening to non-Council members some meetings which are essentially informative in nature. These could include, for example, certain briefings by the Secretary-General or other United Nations representatives, as well as certain meetings now held under the "Arria formula". In many cases, the substance of these communications — often on evolving issues of direct concern to non-Council members — is known after the meetings take place, but the information may not necessarily be comprehensive. In other situations this year, information provided to the Council has subsequently been made directly available to the media before other delegations have had an opportunity to be briefed.

My delegation wishes to underline that we fully appreciate the Security Council's efforts this year in carrying out its challenging mandate. Our objective in making these comments today remains to offer

constructive observations aimed at assisting the Council in meeting these challenges more effectively. To this end, the Council can count, as in the past, on the cooperation of the delegation of Canada.

Mr. Elaraby (Egypt): At the outset, allow me to express my delegation's deep appreciation to the Permanent Representative of Indonesia, Ambassador Nugroho Wisnumurti, the President of the Security Council for the month of November, for his lucid and comprehensive introduction of the report of the Security Council to the General Assembly.

The ongoing debate here today is an important occasion to consider thoroughly the manner in which the Security Council discharges its Charter responsibilities on behalf of the wider membership of the Organization, as well as to evaluate the impact of the Council's actions on various issues under its consideration.

In order to allow the General Assembly, the body most representative of the wider membership of the Organization, to consider and evaluate the activities of the Security Council, the annual report of the Council should take a totally different form. Before I present our view on how the Council's report should be prepared, let me repeat briefly the views expressed by my delegation at the fiftieth session — last year, that is — as well as at earlier sessions of the General Assembly on the report in its current form.

The current annual report, notwithstanding the great efforts made by the Secretariat in its preparation, does not adequately take into consideration the need for further transparency in the activities of the Security Council. By way of illustration, I shall mention only the following points.

First, the report is merely a compilation of documents which have already been obtained by delegations in the form of resolutions and presidential statements. It does not provide any new information. Secondly, the report does not incorporate information about the deliberations of the Council in its consultations of the whole or about the deliberations of its subsidiary organs. Thirdly, the report does not provide analysis — profound or otherwise — of the situations considered or any reasoning behind the following of certain forms of action, nor does it contain any evaluation of the impact of such action on containing any ongoing crisis. Fourthly, the report does not include information about oral presentations or briefings made by the President, by the Secretary-General and his representatives, by the chairperson of any subsidiary organ of the Council or by officials of other international or regional organizations invited to address the Council on any question under consideration in the consultations of the whole.

Egypt has been an elected member of the Security Council since January this year. The fact that we are currently a member of the Council has not diminished our enthusiasm to achieve the maximum transparency in the work of the Council. To the contrary, our membership on the Council increased our conviction that there is a need to enhance the transparency of its work in a manner that will allow the Council to undertake its responsibilities in a much better and more efficient and representative way.

For this reason, in June 1996, Indonesia and Egypt, together, submitted to the Informal Working Group of the Security Council concerning the Council's documentation and other procedural questions specific proposals for improving the Council's report to the General Assembly in a way that would address the misgivings directed at the report in its current form. The annual report, according to our proposals, should include, *inter alia*, the following. First, a brief summation of the process leading to the decisions of the Council, be they resolutions or statements by the President on behalf of the Council. This summation should include a brief summary of the views expressed in the consultations of the whole without revealing the names or number of delegations holding similar positions on any specific question, as well as a brief summary of all oral presentations and briefings made to the Council. Secondly, an assessment of the extent to which the Council's decisions have influenced the situation on the ground and prospects for the future. Thirdly, a brief factual summary of the informal meetings of each of the subsidiary organs of the Security Council — particularly the sanctions committees — indicating the subjects under consideration and the major trends in views leading to the formulation of decisions.

The proposals presented by my delegation, with Indonesia, in this regard, are not going to lead, as some members of the Council suspect, to a decrease in the efficiency of the Council and a limitation in the ability of Member States to express their views freely in the consultations of the whole. On the contrary, we believe it will make the Council a body truly representative of the United Nations membership as a whole.

The mere fact that the report of the Security Council to the General Assembly has been sharply criticized in

our debate on this same item in the last few years is a clear indication that something has to be done in this area, in addition to what the Council has been able to achieve in other areas. This would require a collective political will to be transparent and to work in conjunction with the whole membership of the United Nations, as represented in the General Assembly.

In keeping with our thinking about the annual report to the General Assembly, the two delegations, Indonesia and Egypt, believe that the time has come to begin the fair implementation of Article 24 of the Charter by defining the cases in which the Security Council should present special reports to the General Assembly for its consideration. These cases should, *inter alia*, include the following. First, situations in which the Council is unable to discharge its responsibilities due to lack of unanimity among its permanent members. In this context, my delegation would like to support and endorse what the Ambassador of Nigeria said this afternoon on the abuse of the veto and the attempts to extend and stretch the veto and its scope of application to matters beyond the maintenance of international peace and security, such as the appointment of the Secretary-General, with which we are now faced. Secondly, situations in which the Security Council decides to establish a new peacekeeping operation, to change substantively the political, civilian or military component of an existing peacekeeping operation or to significantly change the mandate entrusted to an existing peacekeeping operation. Thirdly, situations in which the Security Council decides to withdraw or terminate an existing peacekeeping operation before it fulfils its political or military mandate. Fourthly, situations in which the Security Council authorizes a State or a group of States to undertake a military operation on its behalf. Fifthly, situations in which the Security Council decides to impose sanctions on any State Member of the United Nations. On all these occasions, my delegation believes, the Security Council should present a special report to the General Assembly.

This is not an exhaustive list and it is, of course, open to further examination and reconsideration with a view to establishing the correct reporting mechanism in such important cases.

Having outlined our perception of the reporting mechanism, allow me to move on to actions taken by the Council during the past year with a view to achieving greater transparency. In this context, I would like to register our satisfaction with the adoption of the presidential statement establishing procedures to improve the arrangements for consultations and exchange of timely information with troop-contributing countries. We believe this should be done in an enhanced way, in accordance with the provisions of Article 44 of the Charter. My delegation would like to stress that the information shared during these meetings should also be reflected in the Council's report to the General Assembly.

It is also a source of satisfaction to my delegation to note the increased number of open meetings of the Council to discuss critical issues with a view to providing the Council with a general orientation on the basis of the opinions of the wider membership of the United Nations.

The work of the informal Working Group of the Security Council concerning the Council's documentation and other procedural questions should continue to examine all proposals submitted by States members of the Security Council, taking duly into consideration the observations made in the debate on this agenda item as well as the observations made in the ongoing debate in other General Assembly forums concerned with the work of the Security Council, with a view to recommending to the Security Council the adoption of a new format for its annual report to the General Assembly and a list of cases that should be the subject of special reports from the Council to the Assembly.

Once again, we need a strong political will to achieve maximum transparency and the requisite conceptual rationalization. Egypt shall remain committed to working with other members of the Council and of the United Nations to achieve this goal. We hope that the report of the Security Council to the fifty-second session of the Assembly will mark the beginning of a new era of enhanced transparency and enhanced comprehensiveness in the work between the Council and the Assembly.

Mr. Kharrazi (Islamic Republic of Iran): I should like to express my appreciation to the Ambassador of Indonesia who, as the current President of the Security Council, introduced the annual report of the Council to the General Assembly. My delegation has reviewed the report, contained in document A/51/2, covering the period from 16 June 1995 to 15 June 1996. The report has been submitted to the Assembly in accordance with Articles 24 and 25 of the Charter, which entrust the General Assembly with the function of the overall review of the work of the Organization.

The Charter in fact authorizes the Assembly to receive and consider annual and special reports from the Security Council. Despite various special functions

undertaken by the Council, particularly in recent years, the General Assembly has received no special report from the Council. It seems imperative that the conditions for submitting special reports by the Council be further elaborated and defined. We believe that it is the task of the General Assembly to prepare and adopt a guideline on that subject. Needless to say, special reports of the Council can improve the relationship between the Council and the general membership.

On the other hand, the annual reports of the Council have been drafted so as to leave no room for their consideration. A report which is in fact a compilation of symbols, resolutions and chronologies of issues already available to Member States — and more easily accessible through existing computerized channels — needs no consideration. What we are considering now is, rather, the ways and means through which the reporting methods and procedures of the Council would be improved, so that the minimum expectations of those Members not represented in the Council can be met. The General Assembly should truly be able to fulfil its duty in conducting a thorough and comprehensive consideration of the Council's report, provided that the content of the report is of a substantive nature.

It seems that the main idea behind the respective Articles of the Charter concerning the obligation of the Council to submit reports to the General Assembly is to ensure that those Members not represented in the Council are fully informed of its activities. It is, however, extremely doubtful whether such an idea has ever been realized. According to the present report of the Council, the Council held 240 consultations of the whole, totalling some 377 hours, during the covered period — far more than the formal meetings held in the same period. In spite of the focus on the consultations of the whole, no information has appeared in the annual report of the Council on those consultations. The report is rather more interesting in what it conceals than in what it reveals.

Now, the main avenue available to all non-members of the Council wishing to be informed of the informal consultations is to attend the briefings by the Council's presidency, which are totally dependent on the individual approach of the Council's President of the moment. In our view, these briefings can be conducted in writing and reflected in the annual report of the Council after necessary processing.

The great majority of Member States have frequently emphasized in various meetings of the United Nations that the reports of the Security Council to the General Assembly should be comprehensive and substantive in nature. If the Council does not react positively to the desire of the majority, its credibility will face serious damage. The Council cannot claim that it is functioning on behalf of the general membership while it ignores the very legitimate and Charter-based requests of Member States. The Security Council should, in fact, attempt to gain the confidence and trust of the general membership so as to be able to act on its behalf.

Since the discussions on the annual reports of the Council to the Assembly began just a few years ago, the general trend shows dissatisfaction with the content of the reports. In our view, this dissatisfaction emanates mainly from the lack of transparency in the work of the Council and of its accountability to the entire membership.

Moreover, the proper and effective functioning of the Organization requires enhanced cooperation and a concrete relationship between the General Assembly and other principal organs, particularly the Security Council. The General Assembly, as the main organ in which all Member States are represented, should be more empowered in performing its duties and exercising the powers assigned to it under the Charter. Discussions in the Assembly and the desires of Member States clearly demonstrate that the General Assembly is prepared to receive and consider comprehensive and substantive reports from the Council. The appropriate ways and means to facilitate this task should be further elaborated.

Mr. Türk (Slovenia): The report of the Security Council to the General Assembly and its consideration by the Assembly constitute an important part of the General Assembly's activities. It is important that the Assembly receive, at least once a year, a comprehensive factual account of the work of the Security Council. This provides an opportunity for assessing and generally reflecting on the work of the Security Council and the Organization as a whole in the field of the maintenance of international peace and security — that is, with respect to the main purpose of the United Nations.

The delegation of Slovenia wishes to join all those who have expressed appreciation to the President of the Security Council for this month, Ambassador Nugroho Wisnumurti of Indonesia, for his introduction of the report. We are gratified to see that the practice of the oral introduction of the report by the President of the Security Council, initiated in 1993 by Brazil, is continuing. We consider this practice to be an important

element of the efforts to develop relations between the Security Council and the General Assembly pursuant to and in accordance with the requirements of Article 24 of the United Nations Charter.

The report of the Security Council to the General Assembly contains a large amount of relevant and useful information. It is also a systematic document which helps all those who need the information on the work and on the decisions of the Council. It is, as the President of the Security Council explained this morning, a guide to the activities of the Council to be read in conjunction with other official documents of the Security Council. Our consideration of the report provides an opportunity for all those who may wish to comment on one or another aspect of the Council's work to do so.

Furthermore, the report provides information of general importance. Thus, for example, in the current report we find general information about the work of the Council and about the evolution of its methods. It is interesting to note that the number of formal meetings, resolutions and presidential statements is significantly lower compared with the preceding period. The same trend characterizes the informal consultations.

These trends are important because they could diminish a legitimate concern which had been expressed previously, namely that the growing number of Security Council resolutions — a phenomenon which we had been witnessing for several years — and statements was devaluing their importance, while the number of hours spent in informal consultations appeared to reveal a tendency towards micromanagement. It goes without saying that such concerns have to be measured against the background of the actual needs in the domain of the maintenance of international peace and security and of the situations of which the Council is seized. General figures, therefore, cannot tell the whole story.

However, general information reflected in the introductory part of the report provides an important indication on the dynamics of the work of the Security Council. The trends reflected in this general information this year should be welcomed.

In the period covered by the current report, the practice of the Security Council has been characterized by certain improvements. The practice of holding open orientation debates, based on a concept presented by France about two years ago, has been developed further. It provided several opportunities for United Nations Member States to participate in the discussions which precede the negotiations and decision-making in the Security Council. Furthermore, it also helped in clarifying the distinction between a debate, which can benefit from the variety of views expressed by Member States, and negotiations on resolutions, which remain the responsibility of the members of the Security Council.

The transparency of the work of the Security Council has been improved to some extent as a result of briefings by the President, improvements in the work of the sanctions committees and other methods, including the improved arrangements for consultations and exchange of information with troop-contributing countries. These improvements ought to be welcomed. However, the need to bring the relationship between the Security Council and the General Assembly closer to the requirements of the Charter continues to exist, and more needs to be done.

The practice of reporting by the Security Council to the General Assembly should be developed further and the existing proposals should be given adequate consideration. Special reports of the Security Council to the General Assembly, envisaged in Article 24 of the Charter, should be submitted when necessary. Furthermore, the Security Council could report to the General Assembly more often, perhaps twice a year or perhaps once every three months. A more frequent consideration of Security Council reports by the General Assembly would contribute to the further enhancement of the relationship between these two principal organs of the United Nations and thus to a more complete implementation of the Charter.

The need to make the reports of the Security Council more substantive and user-friendly continues to exist. Moreover, it would be very helpful if such reports contained an assessment of the situations of which the Council is seized. We listened with great interest to the proposals made by the Permanent Representative of Egypt in this Assembly a short time ago. We hope that some progress can be made along the lines he set out in his statement. However, it is also clear that these needed assessments cannot be expected from the Secretariat. It seems also that the Security Council alone cannot devote the time necessary for the collective formulation of such assessments. A convincing argument can be made that the assessment of the situations is already expressed in the resolutions and presidential statements.

This may lead to the conclusion that other methods should be developed. We believe that a more substantive assessment of issues of world peace and security can emerge as a result of an intensified communication between the Security Council and the General Assembly. Specific proposals, such as the one voiced by Egypt about a year ago to create joint mechanisms of the two organs to address similar situations, deserve further serious consideration. At the level of reporting, a similar approach could be developed. The General Assembly could establish a working group to study the report of the Security Council before its consideration by the whole Assembly. Such a preparatory process would help the General Assembly in focusing its discussion and the Security Council in providing all the necessary information to the General Assembly. Active involvement of the General Assembly in such a process would represent also one of the ways towards the further revitalization of the General Assembly.

Such interaction would result in clearer identification of the most relevant thematic issues before the Security Council and could contribute to an improvement in the quality of its work. Given the political nature of reporting, it can be expected that improvements in that domain would have a beneficial effect on the work of the United Nations in the maintenance of international peace and security in general.

I have confined my remarks to some of the general aspects of the report of the Security Council to the General Assembly. Our delegation will address specific situations under other agenda items. It seems essential that the present occasion should be used for the clearest possible identification of the basic elements of the desired relationship between the Security Council and the General Assembly. This is, in our opinion, the main value of the agenda item currently under consideration.

The Acting President (*interpretation from Arabic*): We have heard the last speaker in the debate on this item. The General Assembly has thus concluded the present stage of its consideration of agenda item 11.

The meeting rose at 5.10 p.m.

United Nations A/51/PV.67

General Assembly

Fifty-first Session

Official Records

67th plenary meeting
Wednesday, 27 November 1996, 10 a.m.
New York

President: Mr. Razali Ismail ..... (Malaysia)

The meeting was called to order at 10.10 a.m.

Agenda item 42

Cooperation between the United Nations and the Organization of African Unity

Report of the Secretary-General (A/51/386)

Draft resolution (A/51/L.19)

The President: I call on the representative of Cameroon to introduce draft resolution A/51/L.19.

Mr. Mpay (Cameroon): It is my honour, in my capacity as the Chairman of the African Group, to comment on the progress of cooperation between the United Nations and the Organization of African Unity (OAU), which has over the years been very useful in the promotion of development in Africa.

Over the past 35 years, African countries had dramatic experiences with development. A number of countries have made some progress in the area of economic growth and development, but others have yet to find solutions to the critical problems facing their development efforts. In all of these countries, cooperation arrangements between the United Nations and the Organization of African Unity in various aspects of development have provided a major impetus. Cooperation between the two organizations has, by and large, covered consultations, the exchange of information, and the promotion of economic and social development.

The Secretary-General of the United Nations and the Secretary-General of the OAU have consulted on several issues affecting the development of Africa. The cooperation between the United Nations Development Programme and the OAU has concentrated on strengthening the managerial and administrative capacities of the OAU and on providing support for the African Economic Community. The United Nations Environment Programme has provided financial and technical support for the organization of an African expert group meeting to prepare an African consensus and common perspective and position regarding the application of the Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa.

The United Nations Population Fund has just completed a four-year project with the OAU to strengthen the technical capacity of the organization in areas relating to population and development, with a view to assisting member States in adopting and implementing population policies. The relationship between the OAU and the Office of the United Nations High Commissioner for Refugees has been further consolidated by joint efforts to address the consequences of forced population displacement in the Great Lakes region within the framework of a Plan of Action adopted at Bujumbura in 1995.

At the programme level, the Food and Agriculture Organization of the United Nations (FAO) is collaborating with the OAU on the development of a

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Common African Agricultural Programme. FAO is working with the OAU on the preparation of the nineteenth FAO Regional Conference information document on the Programme. We welcome the efforts of the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the reinforcement of its cooperation with the OAU in the implementation of the United Nations System-wide Special Initiative on Africa. In the framework of institutional capacity-building in Africa, UNESCO has offered to contribute to strengthening the OAU secretariat.

The International Monetary Fund (IMF) has provided financial resources under its different facilities, especially under the Structural Adjustment Facility and the Enhanced Structural Adjustment Facility, to African countries in support of their structural adjustment programmes. The IMF has also engaged in the mobilization of additional resources for African countries, in the context of multilateral conferences on aid coordination and the rescheduling of debt by the Paris Club. Furthermore, we welcome a project concerning cooperation with the OAU by the United Nations Industrial Development Organization in the context of the African Economic Community and the Cairo Agenda for Action. The project will assist the OAU in the elaboration of a protocol for an appropriate strategy to promote regional cooperation and integration, with particular reference to the development of the private sector and to the preparation of selected high-impact regional programmes.

The fact that most of the countries on the continent continue to experience poor economic growth and development — with resulting poverty aggravation, high rates of unemployment, high rates of inflation, decreasing production and environmental degradation — makes increasing commitment to and intensification of cooperation more urgent than ever. In particular, cooperation is urgently needed in the few countries experiencing political stresses and strains. The OAU will welcome increasing support for its Mechanism for Conflict Prevention, Management and Resolution. In particular, there is a need for more support for the development of its preventive diplomacy capacity. In this connection, we continue to urge the support of the United Nations for OAU efforts to manage peaceful democratic transition in Africa.

In addition, our organization will continue to count on the support of the United Nations in coping with emergency situations created by acts of war. In particular, we are counting on the United Nations cooperation with the OAU to end hostilities, support rehabilitation efforts and provide assistance in dealing with issues of refugees and displaced persons.

I should like to underscore once again the importance of the United Nations New Agenda for the Development of Africa in the 1990s (UN-NADAF) to Africa's development. The recently concluded mid-term review of UN-NADAF offers the international community another opportunity to find durable solutions to development problems in Africa. The review has made it abundantly clear that, while African countries themselves will need to continue with their political and economic reforms, these efforts will need to be more effectively complemented by the international community if the gains in economic growth and development that some countries have made are to be incremental and sustained.

We feel that, in the context of this review, it is obvious that the United Nations must adequately fund all its agencies and organs concerned with the implementation of UN-NADAF as we march on in the second half of the Programme.

External debt is a serious issue in African development. Each Integrated Programme for Commodities is welcome, but it is clear that this may not necessarily provide an adequate and final solution to this problem, given the inherent limitations. We therefore continue to urge the international community to continue to search for better arrangements which take into consideration the interest of debtors and creditors, but with ample provisions for unloading the debt burden.

African countries have come a long way in the liberalization of their investment codes. There is increasing need for foreign direct investment, while attempts are being made to consolidate the political and socio-economic environment. In an increasingly globalized world economy, the international community should also continue to assist African countries in their efforts to be more competitive, remove the impediments to their exports and help in their efforts to promote export diversification.

In reiterating, I would like to restate that the need for foreign aid will remain critical for many countries. This will be vital for many weak countries in terms of capacity-building and the development of social and economic infrastructures. There should be a serious commitment on the part of the international community to meeting the needs of these countries.

I would like to say in conclusion that the OAU continues to count on the increasing support and cooperation of the United Nations as we are about to cross into the next century. We believe that more meaningful cooperation will continue to emerge, given the assumption that the full development of all continents and countries worldwide would be to the advantage of all, especially in terms of higher prosperity in under-developed countries.

I would like to add that the draft resolution introduced in connection with this question is still being negotiated, so we will ask for the postponement of action on this draft resolution.

Mr. Campbell (Ireland): I have the honour to speak on behalf of the European Union. The following associated countries have aligned themselves with this statement: Bulgaria, Cyprus, the Czech Republic, Hungary, Lithuania, Poland, Romania and the Slovak Republic. Iceland has also aligned itself with this statement.

The European Union welcomes the comprehensive and informative report of the Secretary-General on cooperation between the United Nations and the Organization of African Unity (OAU) (A/51/386). The European Union believes that international regional organizations have an increasingly important role to play in the world today. They allow groupings of countries in proximity to each other to assess and seek to meet the various challenges, whether in the economic, social, ecological or security fields, which confront any one region. It can be said that the approach to any problem by a regional organization can be particularly effective by virtue of the organization being geographically closer to the problem and its membership individually affected by it.

Geographical proximity links Europe closely with Africa and developments there affect Europe perhaps more than they affect any other continent. We are also bound historically by special relationships and ties which we believe impose upon us particular responsibilities towards our southern neighbours. The European Union wishes further to cultivate and promote these ties and to intensify relationships with Africa in many fields. Regional organizations in Africa, such as the Organization of African Unity and the Southern African Development Community (SADC) are ideal partners for dialogue and cooperation to this end. We also note the important role played by the Economic Community of West African States in West Africa (ECOWAS) and, in particular, its Monitoring Group (ECOMOG)'s efforts to maintain peace and security in Liberia. In East Africa, we would draw attention to the initiatives being undertaken by the Commission for East African Cooperation.

For this reason the European Union welcomes regular contact and dialogue with the regional organizations in Africa. Most recently, in mid-October, the second SADC-European Union ministerial conference took place in Windhoek, Namibia. This conference afforded an opportunity to review political developments in our respective regions to assess how far our mutual cooperation has progressed and to define more accurately what our future plans should be. The European Union also attaches the greatest importance to the continuing dialogue with the OAU. We look forward to a ministerial-level meeting with this organization early next year. Meetings have already gone ahead between the European Union and the OAU at the level of senior officials.

In previous meetings, the OAU has explained to us in some detail its ideas on conflict prevention management and resolution in Africa. We welcome the mechanism which the organization has set up for this purpose and we are confident that it will be of particular value in helping to resolve conflicts and tension. We also welcome the possibility it affords to allow African States to take the lead in such matters on their own continent, which we consider essential. The European Union is pursuing the dialogue with the OAU in this important area and is supporting — both technically and financially — the organization's efforts to set an appropriate mechanism in place.

The European Union recognizes the preeminent role of the United Nations in peacekeeping matters and recalls in particular the proposals put forward by the Secretary-General in his "An Agenda for Peace". The European Union is convinced of the need for the closest possible cooperation between the United Nations and the OAU. We note that Article 52 of the United Nations Charter recognizes the particular role to be played by regional organizations in this regard.

As we look at the continent of Africa today, there is reason to be hopeful for the future. Democracy is taking root in an increasing number of States and there is a healthy debate within individual countries on how best to make this democracy more directly relevant to the people themselves how to encourage people to participate more fully in government and how to enable them more directly to influence the shaping of their own future. The OAU has an influential role — and indeed a

responsibility — to foster and support such debate. The international community and, in particular, the United Nations have, in turn, a responsibility to assist the OAU in this task. The European Union therefore encourages the further intensification of dialogue and cooperation between the United Nations and the OAU in these matters.

While we congratulate Africa on the substantial progress it has made in its efforts to introduce more widespread democracy and to deal with problems within its frontiers, the European Union shares the grave concerns of Africans themselves with events in a number of parts of their continent and with undemocratic trends witnessed in some countries.

The European Union considers it a duty to speak out against injustice and in support of the resolution of conflict. Thus there are occasions when we find it necessary to make public — whether here in the United Nations or in other forums — our concern about events in certain countries in Africa and elsewhere. In the past year, we have expressed concern about the situation in Burundi, Liberia, Somalia and Western Sahara. One year after the execution of Ken Saro Wiwa and eight others in Nigeria, we remain gravely concerned by the human rights situation and the slow pace of transition to democratic rule in that country. In Angola, we must express our anxiety at the slow rate of progress in the implementation of the peace process.

Today, however, foremost in all our minds is the rapidly evolving and potentially catastrophic situation in the Great Lakes region. Accurate and up-to-date information on precisely what is happening has been difficult to obtain. Recently, there appears to have been a significant improvement in the situation, and the threat of the appalling humanitarian tragedy that we all feared a couple of weeks ago appears to have substantially receded. We remain gravely concerned, however, that there are still considerable humanitarian problems to be tackled on the ground, and we must not underestimate the range of complex and difficult tasks that confront the international relief agencies. There is still an urgent need for humanitarian assistance and help with repatriation. We must ensure that any assistance that is given is appropriate, sufficient, effective and delivered in time. To this end we must monitor the situation very closely on a continuing basis. We should also strive to ensure that the response of the international community to this crisis is both coherent and well-coordinated.

For its part, on 7 November the European Union convened a special meeting of its development and humanitarian aid ministers to review the situation, following which the European Union troika of ministers travelled to the region. In recent days the European Commission has announced an emergency aid package totalling approximately $7 million for Rwanda, Zaire, Burundi, Tanzania and Uganda, bringing to almost $700 million the total of our humanitarian aid to the Great Lakes region since 1993.

While the immediate need is for humanitarian assistance, we must not overlook the broader political problems underlying the present crisis and the threat that they pose to the future peace and stability of the entire Great Lakes region. These problems can be resolved only through early and substantive dialogue. In this context the European Union reiterates its support for the convening of an international conference on peace, security and development in the region under the joint auspices of the United Nations and the Organization of African Unity in order to address, within a global approach, the root causes of the crisis and to ensure respect for commitments. The European Union, through its Special Envoy, Mr. Aldo Ajello, and in close coordination with the Secretary-General's Special Envoy, Ambassador Chrétien, as well as former President Julius Nyerere of Tanzania, will continue to seek to facilitate a peaceful resolution to the conflicts. We are ready to address the humanitarian requirements and to contribute to the peacekeeping force that has been authorized by the Security Council.

The European Union is deeply conscious of the enormous challenge of economic development that continues to confront the continent of Africa. Many countries in Africa are undertaking extensive reforms in their economic policies and their public sector institutions, which have begun to revive growth, and they have achieved significant and laudable progress in essential sectors such as health, education and the provision of basic services. At the same time, the fact remains that half of the population of sub-Saharan Africa lives below the poverty line. Such poverty is a reminder of the economic and social progress that has yet to be achieved. We believe that to reduce poverty, African countries must, with the encouragement and support of the international community, achieve and maintain a steady rate of growth in per capita income. Development programmes should also aim to ensure that the poorest sections of the populations benefit most.

The European Union will continue to play a determined part in achieving these goals. The framework for our assistance is already in place, with the Lomé Convention serving as the cornerstone of our efforts. The aid extended by the European Union under the Lomé Convention, together with the assistance it offers through other channels, makes the European Union today the largest aid donor in the world. We confirm our commitment to continue to assist the developing countries in Africa and to reinforce our cooperation with them in securing their future well-being and prosperity.

While the European Union offers its assistance freely, it recognizes that it has a responsibility to do so. On the African side also, responsibilities must be accepted if development is to be sustained and prosperity assured. Above all, there is the responsibility of each Government to its own people to secure basic rights and freedoms, thereby creating the fertile climate in which economies can grow. There are also the mutual responsibilities of States to each other and their shared environment. These responsibilities go beyond the requirement of respecting each other's sovereignty. The Organization of African Unity has assumed an important role in defining these responsibilities, in exploring ways of ensuring their observance and in helping to shape a common vision of the future of the continent of Africa. The European Union is convinced that the Organization of African Unity, with the assistance and cooperation of the international community, and in particular the United Nations, will meet the challenge of helping Africa steer a course of confidence and hope into the next millennium.

Mr. Whannou (Benin) *(interpretation from French)*: Since 1988, resolutions have been regularly adopted by this Assembly recognizing the need for cooperation between the United Nations and the Organization of African Unity (OAU). Aware of the central role the United Nations has played in the international arena since the end of the cold war, the Heads of State or Government of the OAU, at a meeting that took place from 8 to 10 July 1996 at Yaoundé, Cameroon, reaffirmed their belief in this cooperation, fully convinced that the United Nations now has new possibilities for attaining its fundamental purposes: the maintenance of international peace and security, the attainment of a minimum common level of social conditions, and the promotion of and respect for human rights.

Given this vision, on 24 October 1996, President Paul Biya of Cameroon, who is the current Chairman of the Organization of African Unity, showed the international community the developing picture of the political, economic and social situation in the African continent, calling upon the United Nations system to maintain and intensify its cooperation with Africa.

Hotbeds of tension exist in many places in Africa. Evidence of that is the human tragedy now being played out before the eyes of the international community in the Great Lakes region, particularly in eastern Zaire. We must be especially worried about this because it threatens completely to engulf the area, in which massive population shifts are taking place and where there has been enormous loss of human life, creating persistent tensions in the good-neighbourly relations between the countries in the region. The protagonists must exercise restraint and embrace dialogue so as to ensure peace, security and understanding among the peoples and States involved.

Because of the gravity of this situation, on 11 November 1996, in Addis Ababa, at the initiative of the Algerian Government and under the chairmanship of Cameroon, we held, at ministerial level, the fourth special session of the OAU Central Organ's Mechanism for Conflict Prevention, Management and Resolution.

An appeal was then launched to the international community and the Security Council for emergency action to prevent armed conflicts that could only undo all the development efforts.

My country thanks Canada for its spontaneous involvement in dealing with this tragedy and the humanitarian organizations for their generosity. But we would also like to express our indignation at the clash of views that has developed in the past few days over the mandate of the multinational force, which is the subject of Security Council resolution 1080 (1996), the timing of its dispatch and its composition. Meanwhile, the lack of assistance is costing or threatening thousands of human lives. Is there no limit to the rhetoric? One must agree with my delegation that, without peace and security, Africa will not be able to meet the challenge of the third millennium.

It is regrettable in every instance that action often does not follow the wish to cooperate. It is in order to fill that void that we are considering draft resolution A/51/L.19, which so eloquently addresses the need to strengthen cooperation and action between the United Nations and the OAU.

One area in which cooperation between the United Nations and the OAU is particularly urgent and necessary is cooperation aimed towards the economic recovery and development of Africa. The General Assembly has often emphasized the urgent need to strengthen international cooperation with a view to finding a lasting solution, *inter alia*, to the foreign debt problems of developing countries, particularly those in Africa. Debt-servicing in Africa has now reached alarming proportions. It is one of the main hindrances to the economic and social development of our continent. Faced with increasingly difficult situations regarding resources, the majority of African countries have entered into structural adjustment programmes, but these programmes will not be sufficient over the long term.

In order to remedy the imbalance, Secretary-General Boutros-Ghali, worthy son of Africa, launched the United Nations System-wide Special Initiative for Africa on 15 March 1996. We speak from this forum to awaken the developed countries and the multilateral financial institutions to the need to support the Initiative as well as the outcome of the mid-term review of the United Nations New Agenda for the Development of Africa in the 1990s, held from 16 to 20 September 1996. The international community must now implement that outcome with a view towards the harmonious development of our interdependent world.

We must recall that one of the major concerns of the Heads of State and Government of Africa is to strengthen cooperation between the OAU and the United Nations within the framework of the establishment of the African Economic Community. They would invite international organizations, financial institutions and other bodies within the United Nations system, as well as non-governmental organizations, to support programmes for economic integration and cooperation within the context of priorities set by subregional economic communities.

African integration remains a necessity for the survival of African States in an international arena increasingly marked by regional groupings emerging from the globalization of the challenges to be met. The delegation of Benin cannot overemphasize the need, reflected in the draft resolution, to ensure the effective, fair and equitable representation of Africa at the various levels and echelons of the United Nations system.

In conclusion, I would like to express the hope that all the delegations of our Assembly will come together to adopt by consensus draft resolution A/51/L.19, which expresses the aspirations of the people of Africa and reflects the collective political wishes of their leaders.

Mr. Abdellah (Tunisia) (*interpretation from French*): Cooperation between the United Nations and the Organization of African Unity (OAU) has increased in importance in recent years and has proven to be very useful for attaining the common goals of the two organizations.

This has been particularly manifest in the area of conflict prevention and peacekeeping. Since the establishment of the OAU Central Organ of the Mechanism for Conflict Prevention, Management and Resolution, cooperation between the two organizations has continuously grown and strengthened, thanks to the key role played by the Central Organ in Africa and the growing interest now being given by the United Nations to the contribution of regional organizations and arrangements to the maintenance of peace. It is worth stressing here that the joint action of the two organizations would be even more effective if the OAU Organ had the proper resources to do its job.

Last year, the United Nations Secretary-General submitted a report on improving the capacity for conflict prevention and the maintenance of peace in Africa. The recommendations in his report reflect a real desire to further cooperation between the two organizations.

Proposals to promote the system of stand-by arrangements within a context of partnership deserve further exploration with a view to facilitating the participation of African countries in peacekeeping operations. Here, the United Nations could make a valuable contribution, *inter alia*, through the training of personnel that serve in this system.

The support of the United Nations is also very useful in strengthening African capacities in conflict prevention. This is a priority to which the Central Organ of the OAU gives special attention. The fragility of the security situation in several areas of the continent makes preventive action the main focal point of African efforts in the maintenance of peace. The OAU is striving to promote a system of prevention based on information that should make it possible better to follow developing situations showing signs of crisis.

We wish to stress here the fact that conflict prevention should not be confined to security aspects alone; they should also encompass development aspects.

It is essential that cooperation between the two organizations be based on prevention in all its dimensions.

Furthermore, and still within the same context of prevention, the countries whose institutions and infrastructures have been devastated by long-standing domestic warfare now need increased assistance from the international community to help them rebuild their economies and improve the living conditions of their peoples, because without ongoing economic and social development, internal tensions will always continue to threaten the stability of these countries.

On another level, the problem of refugees and displaced persons, which is a permanent source of tension and instability, must be given the attention and concern it deserves. In this connection, my delegation welcomes the efforts being made by the Office of the United Nations High Commissioner for Refugees, in cooperation with the OAU, to assist refugees and to find solutions to their unfortunate situation.

Here, we stress the need to convene a regional conference under the auspices of the United Nations and the OAU to examine all the problems of the Great Lakes region and to adopt a comprehensive approach to their solution.

Cooperation between the two organizations is also essential in the sphere of development, at a time when Africa is being confronted by various problems that are impeding the attainment of sustained economic growth.

Since 1991, official development assistance for Africa has been shrinking, and direct foreign investments remain weak in a very difficult international context that is marked by a fierce commercial competition that the Uruguay agreements have made even more onerous for the African countries. Furthermore, the debt burden continues to weigh heavily on the economies of those countries and to hinder their development policies.

In this connection, I am pleased to welcome the interest that the international community has recently shown in the course of the work of the General Assembly's Ad Hoc Committee of the Whole for the Mid-Term Review of the Implementation of the United Nations New Agenda for the Development of Africa in the 1990s (UN-NADAF). It is worth recalling that this New Agenda, which was adopted by resolution 46/151 of 18 December 1991, has among its priorities

> "the accelerated transformation, integration, diversification and growth of the African economies, in order to strengthen them within the world economy, reduce their vulnerability to external shocks and increase their dynamism, internalize the process of development and enhance self-reliance". (*resolution 46/151, annex, part II, para. 6*)

We stress here that the international community's commitments to achieving those objectives should be understood as meaning that African development is primarily the responsibility of the African countries themselves and that the support of the international community should be to bolster the efforts of those countries. The latter have in recent years undertaken to introduce major reforms in economic management that are now beginning to bear fruit. We believe that those efforts deserve encouragement, in particular through the mobilization of resources, debt relief, economic diversification and a speeding up of the process of implementation by the African Economic Community.

In this connection, I cannot fail to welcome the Secretary-General's initiative for African development, which is a valuable tool for the implementation of UN-NADAF. The international community must mobilize to guarantee the success of that initiative.

I should also like to reiterate the proposal made by President Zine El Abidine Ben Ali, President of the Republic of Tunisia, advocating the concept of a global economic and social plan aimed at guaranteeing African growth on sound and lasting bases and at assisting our continent to remedy its deficiencies, achieve integration into the world economy and ensure dignified living conditions for all peoples in Africa.That plan seeks to strengthen African capabilities by mobilizing financial resources, increasing technical assistance and consolidating industrialization through partnerships, direct investment and trade and by finding a solution to the debt problem. We believe that cooperation between the United Nations and the Organization of African Unity would be of great value in this area.

In conclusion, I should like to pay a tribute to the Secretaries-General of both organizations, who have constantly improved such cooperation since the agreement establishing it in 1965 and to welcome their efforts to improve the machinery for coordination and consultation between the United Nations and the OAU.

Ms. Leonce-Carryl (Saint Lucia): I am pleased to address the Assembly on agenda item 42, "Cooperation between the United Nations and the Organization of African Unity", on behalf of the States members of the Caribbean Community (CARICOM), namely, Antigua and Barbuda, the Bahamas, Barbados, Belize, Dominica, Grenada, Guyana, Jamaica, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Suriname, Trinidad and Tobago, and my own country, Saint Lucia.

We wish to commend the Organization of African Unity (OAU) for the leadership it has provided in addressing many of the challenges facing the continent, particularly in the areas of peace and security and development. That approach is certainly what the founders of the United Nations envisaged when they set forth in the Charter the principles governing the activities of regional arrangements and setting the framework for cooperation between such bodies and the United Nations.

There can be no question that the Organization of African Unity has played the important role envisaged for a regional organization in the maintenance of international peace and security and the furtherance of the aims and objectives of the United Nations. It has done so consistent with the provisions of the Charter and General Assembly resolution 49/57.

At this year's commemoration of Africa Day, the Chairman of the OAU recalled the tremendous strides made by the OAU since its inception in 1963. Its leadership in the struggle against colonialism, racism and apartheid has benefited not only the peoples of Africa but, indeed, all mankind.

Today, the OAU approaches the issues of development and the prevention, management and resolution of conflicts with the commitment and the sense of purpose that ensured its success in earlier struggles.

CARICOM welcomes the report of the Secretary-General (A/51/386) outlining the wide-ranging cooperation between the United Nations and the OAU over the period in review. We are pleased that the dialogue has been maintained at the highest levels, and we welcome the implementation of mechanisms for institutional cooperation between the United Nations and the OAU.

We support the development and strengthening of mechanisms for the prevention, management and resolution of conflicts, and we urge the full cooperation and support of the United Nations system and the international community for these important initiatives.

The situation in the Great Lakes region is of great concern to us all. We have welcomed the call for a conference on peace, security and stability in that region, an initiative in which the OAU plays a key role.

We support the effort to address the tremendous refugee problem and the rehabilitation needs in that region, and we encourage the international community to make every effort to secure a lasting solution to the humanitarian tragedy that has unfolded in that area.

We are very aware of the efforts of the African States and the OAU to seek adequate solutions to the problems of debt and resource flows to the region. We agree that the issue of development is of critical importance and must be addressed with a sense of urgency. In this context, we see the United Nations New Agenda for the Development of Africa in the 1990s (UN-NADAF) as an initiative of vital importance that must be given the full support of the international community.

That initiative, which seeks to address the fundamental development concerns in Africa, must be given high priority on the United Nations agenda and should benefit from the ongoing programme of United Nations-OAU cooperation.

In the area of development, we also note with appreciation the cooperation between the Economic Commission for Africa and the OAU, which will further the goal of enhancing economic development in Africa.

The work of the United Nations Centre for Human Rights, the United Nations Development Programme (UNDP), the United Nations Children's Fund (UNICEF), the Food and Agriculture Organization of the United Nations (FAO), the United Nations Population Fund (UNFPA), the United Nations Educational, Scientific and Cultural Organization (UNESCO) and other programmes and agencies in key social, economic and humanitarian initiatives outlined in the report are all of vital importance to efforts to improve the quality of life on the continent.

We urge the United Nations Secretariat and these agencies and programmes to deepen and strengthen their activities in Africa, and encourage them to continue their close cooperation with the Organization of African Unity

in order to enhance the prospects for progress in their missions in the region.

CARICOM will support continued collaboration between the United Nations and the OAU in these and other efforts to promote the goal of peace, security, and development in Africa, and will support the draft resolution contained in document A/51/L.19.

Mr. Wilmot (Ghana), Vice-President, took the Chair.

Mr. Rantao (Botswana): I am pleased to address the General Assembly on the subject of cooperation between the United Nations and the Organization of African Unity (OAU). This question was first considered by the General Assembly as far back as 1965 and has, in the course of time, assumed more importance. Despite all the good intentions and pronouncements of the international community, economic growth in OAU member States remains very low. Their terms of trade continue to worsen, and the debt burden continues unabated.

The African continent, despite the commendable progress it continues to make in the consolidation of freedom and democracy, is still saddled with numerous problems that African countries may not be able to resolve on their own.

My delegation is therefore gratified to note from the Secretary-General's report (A/51/386) of 20 September 1996 that the United Nations system is carrying out, in close cooperation with the OAU, a comprehensive range of activities, which reflects a progressive trend towards the achievement of the goal of socio-economic development on the continent.

The growing partnership between the United Nations and the OAU is a laudable development, which, we believe, will make a positive contribution to strengthening the institutional and operational capacity of the OAU in all fields.

Of particular interest to my delegation is the OAU Mechanism for Conflict Prevention, Management and Resolution, which is still in its infancy and therefore still having teething troubles.

My delegation believes that a strengthened mechanism for conflict prevention, management and resolution is an essential condition if the OAU is to tackle effectively the problems that exist or may arise in Africa, such as the situations in the Great Lakes region, Somalia, Liberia, the Sudan and Angola.

The efforts of the OAU mechanism in the field of preventive diplomacy also needs the support and assistance of the international community for the development of an early warning system through which conflict situations could be more predictable and preventable. This could take the form of technical assistance and personnel training, the development of the capacity of the member States to participate in peacekeeping and peacemaking operations, as well as support for the OAU's efforts to manage and foster a more peaceful transition to democratic rule in Africa.

Peace and stability are essential conditions for the success of any economic development initiative. A great deal of resources are still being channelled towards conflict resolution and humanitarian assistance. This has resulted in the diversion of resources that could otherwise have been directed towards food security, the infrastructure and sustainable development.

Many OAU member States, like most developing countries, still lack adequate sources of information. My delegation therefore urges the United Nations system to strengthen the OAU's institutional and operational capacities in terms of research, information gathering, analysis and dissemination.

The Acting President: We have heard the last speaker in the debate on this item.

I should like to inform members that action on draft resolution A/51/L.19 will be taken at a later date to be announced.

Agenda item 26

Cooperation between the United Nations and the Economic Cooperation Organization

Report of the Secretary-General (A/51/265 and Add.1)

Draft resolution (A/51/L.7/Rev.1)

The Acting President: I now call on the representative of Turkmenistan to introduce draft resolution A/51/L.7/Rev.1.

Mrs. Ataeva (Turkmenistan) (*interpretation from Russian*): First of all, I should like sincerely to congratulate Mr. Razali Ismail on his election to the high office of President of the fifty-first session of the General Assembly and to express my confidence that the work of the session will be crowned with success under his leadership.

As the representative of the State chairing the Economic Cooperation Organization (ECO), I consider it a great honour to address this forum on an agenda item that is of vital importance to my country, Turkmenistan, and other States members of the ECO.

The ECO is a regional group of States collectively pursuing the achievement of social and economic prosperity for its 10 members, located in a region with a territory of more than 7 million square kilometres and a population totalling over 350 million people. In this region, which possesses a great wealth of natural resources, the ECO is a primary forum for promoting economic and cultural cooperation among peoples and for guaranteeing infrastructural links between the newly independent Republics of the former Soviet Union in Central Asia and the Caucasus and the rest of the world through a network of road, sea and air routes passing through the neighbouring countries — Afghanistan, the Islamic Republic of Iran, Pakistan, Afghanistan and Turkey.

Following the expansion of the ECO's membership from three member States to 10 in November 1992, the Organization made serious efforts to draw up comprehensive and long-term plans to expand cooperation. In 1993, two major documents were adopted that defined the goals of the Organization up to the year 2000: the Quetta Plan of Action and the Istanbul Declaration. That same year in Almaty, the ECO considered and adopted a project for the development of the transportation sector, which is being implemented at present. In May 1996, the Fourth Summit Meeting of the Heads of State and Government of the member States of the ECO, held at Ashgabat, endorsed a strategy for economic cooperation, the implementation of which will begin next year. The Summit also approved a number of documents aimed at reorganizing and restructuring the ECO in order to adapt it to the new economic and political realities of the region and of the world as a whole. As a follow-up to the efforts undertaken at the Third Summit of the Organization, in Islamabad, to establish regional cooperation institutions, the Ashgabat Summit adopted decisions aimed at further restructuring the organization.

In this crucial period of its development, the ECO has been able to strengthen and expand its international authority, to a large extent assisted by better cooperation with international organizations. After the adoption by the General Assembly in 1993 of resolution 48/2, the ECO was granted observer status in the United Nations. Since then, the ECO has been consistently and closely cooperating with the United Nations and its specialized agencies in implementing its social and economic programmes. We have established cooperation and are carrying out joint projects with many United Nations organizations and agencies, including the Economic and Social Commission for Asia and the Pacific (ESCAP), the United Nations Children's Fund (UNICEF), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the United Nations Industrial Development Organization (UNIDO), the United Nations Development Programme (UNDP), the United Nations Population Fund (UNFPA), and the United Nations International Drug Control Programme (UNDCP). The ECO has organized three important joint conferences with UNFPA, four joint workshops with UNICEF and several useful activities with ESCAP. UNDP has proposed a project to provide assistance in the implementation of the ECO Plan on Drug Control and is also preparing a macroeconomic study that will be important for the States members of the ECO. This study will help us to more efficiently coordinate cooperation to attain social and economic prosperity for the peoples of the region.

Given the growing trend towards greater interregional cooperation, the ECO is holding active and regular consultations with Asian subregional organizations, carried out with the assistance and coordination of ESCAP. The details of this joint work between the ECO and United Nations agencies are reflected in the report of the Secretary-General (A/51/265 and Add.1), submitted to this session of the General Assembly under item 26 of the agenda. In recent years, cooperation between the ECO and agencies of the United Nations system has reached a qualitatively new level, requiring the elaboration of a comprehensive cooperation strategy. We view this task as the next step towards deepening our interaction.

The draft resolution before you, entitled "Cooperation between the United Nations and the Economic Cooperation Organization", of which Turkmenistan is a sponsor, reflects the basic trends and goals for cooperation between our two organizations and will no doubt provide important impetus to further

interaction. I call upon all Member States to support the draft resolution and to adopt it by consensus.

In conclusion, I would like to express our sincere gratitude to Mr. Boutros Boutros-Ghali, the Secretary-General of the United Nations, and through him, to the United Nations specialized agencies and programmes with which the ECO enjoys cooperation, as well as to their heads.

I wish to express the hope that our cooperation will develop dynamically, and that in the future it will include greater contact between our two secretariats. I wish the General Assembly every success in the work of this session.

The Acting President: The Assembly will now take a decision on draft resolution A/51/L.7/Rev.1. May I take it that the General Assembly decides to adopt the draft resolution?

Draft resolution A/51/L.7/Rev.1 was adopted (resolution 51/21).

The Acting President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 26?

It was so decided.

Agenda item 159

Elimination of coercive economic measures as a means of political and economic compulsion

Draft resolution (A/51/L.23)

The Acting President: I give the floor to the representative of the Libyan Arab Jamahiriya to introduce draft resolution A/51/L.23.

Mr. Azwai (Libyan Arab Jamahiriya) (*interpretation from Arabic*): The General Assembly has had an opportunity, at a number of its previous sessions, to look into the question of the use by certain developed countries of coercive economic measures against developing countries in order to discourage such countries from taking certain sovereign decisions or to force them to adopt specific policies that do not conform to their choices and convictions.

The Assembly has adopted a number of resolutions that have reflected its grave concern over the harmful effects suffered by the economies of developing countries and their developmental efforts as a result of these coercive economic measures, and over the negative effects of these measures on international economic cooperation and on worldwide efforts to establish an open non-discriminatory trade system.

Through all these resolutions, the General Assembly appealed to the international community to take urgent and effective measures to put an end to the use of coercive measures against developing countries, and called on developed countries to refrain from exercising political coercion as a means of effecting changes in the economic and social systems or in the internal and external policies of other countries. The General Assembly also called on developed countries to refrain from threats to impose commercial and financial restrictions, blockades, embargoes, and other economic sanctions on developing countries, because such practices violate the provisions of the Charter of the United Nations and international bilateral and multilateral commitments.

After the adoption of these resolutions, it was hoped that the developed countries would put a halt to coercive economic measures. But instead they persisted and even expanded the scope and magnitude of the measures, escalating them to the extent that the United States recently introduced an unprecedented innovation.

In 1996, the United States enacted United States legislation that punishes foreign non-United States companies which invest more than $40 million to develop petroleum resources in either the Jamahiriya or the Islamic Republic of Iran.

These laws, since their introduction as bills, have rightly caused a wave of international surprise and expressions of opposition and condemnation. That is because they run counter to the principles of the Charter of the United Nations, violate the principles of international law and the Charter of Economic Rights and Duties of States, impede international efforts aimed at liberalizing world trade, and gravely harm the economies and development plans of developing countries. These negative effects have even affected the substantial interests of many developed countries. Moreover, the laws reflect extreme selfishness on the part of the United States Administration which, having safeguarded its economic interests following the Gulf War, wants to

deprive Western and other countries of the remaining important markets in the Middle East. It is not difficult to identify the obvious fallacies in the justification for those laws.

The source of surprise generated by these laws is the fact that they were enacted in a country whose international commitments require it to observe the rules of international law, and not to violate any of those commitments. But, regrettably, it seems that we need to recall that the laws enacted by the United States completely contradict the principle of the territoriality of laws, whose effects should not apply outside the territorial jurisdiction of a State. Nobody here objects to the right of a State to enact laws or to its right to subject its population, both nationals and foreigners, to those laws. However, the right of a State to legislate has certain limits, just like all its other rights. Thus a State may not enact legislation that breaches a rule of international law or any of its international obligations. The laws enacted by the United States breach the norms of international law and violate an international commitment.

The enactment of these laws, which could destroy development in a number of countries, is an attack against the right of States for their physical entity to be respected. That right requires other States not to obstruct the progress of a State or its economic development, whether by direct or indirect intervention, or prevent it from increasing its resources, and not to impede the implementation of its vital projects or hamper its trade by closing international markets to its products. It is not difficult to understand the magnitude of the damage that such a law would do to a country like mine, which is making intensive efforts to develop its resources, both human and material.

Negative reactions rejecting these laws have come from various parts of the world, including the League of Arab States, the European Union, China, Japan, Australia, Russia, Canada and European companies with interests in the Arab region. Even United States companies have denounced such laws, realizing that they could have negative effects on them and, consequently, on the United States people.

The following is an excerpt from *The Wall Street Journal* dated 25 November 1996:

> "Traditionally, the U.S. has used trade sanctions to bring pressure on 'rogue' states. Since 1941, America — either unilaterally or in concert with others — has invoked sanctions more than 70 times. Despite the popularity of this policy option, the success of sanctions has largely been limited. Frustrated with the ineffectiveness of direct sanctions, Congress is adding more fuel to the fire by providing the White House with yet another economic weapon — called a secondary boycott — that extends the reach of U.S law to overseas companies that do business with targeted countries. The possible use of this gambit — some would call it a squeeze play — has irked friends and provoked pointed talk of retaliation. The potential economic harm it could inflict on our trading relations may ultimately hurt U.S. business and its workers."

The article goes on to state:

> "NAFTA partners to the north and south regard such boycotts as interference with their sovereignty. Europeans view America's 'bullying' its allies as a way to deal with rogue regimes as myopic.
>
> "The U.S., we believe, should avoid using weapons like secondary boycotts to achieve foreign policy objectives. Several leading newspapers have also noted the dangers such boycotts can bring."

Such policies were referred to in the *Financial Times* of London on 12 July 1996 when it stated:

> "Other governments need to remind the U.S. forcefully of a fact that its own legislators appear to have overlooked: it is part of an integrated global economy, on which its own prosperity increasingly depends. ... If it persists in playing the lone cowboy, it will invite reprisals against its own commercial interests abroad. Ultimately, it will undermine the rules governing the conduct of international economic and trade relations. Those rules operate to the advantage of all countries. The U.S. is no exception."

The New York Times of 1 July 1996 stated that:

> "Even when deployed on behalf of an otherwise worthy cause, secondary boycotts offend the sovereignty of America's closest allies, invite retaliation and may violate international trade treaties. ... Today's trading patterns involve many countries and need to be applied internationally. But the way to achieve concerted action is by diplomatic persuasion, not by overreaching acts of Congress.

"Global leadership requires moral courage and vision. The United States can lead by example and deed; it need not resort to bullying its friends."

These were statements published in the British and United States press.

In its statement of 23 August 1996, the Movement of Non-Aligned Countries expressed its concern at the enactment of the so-called D'Amato law against the Libyan Arab Jamahiriya and the Islamic Republic of Iran. The statement said, *inter alia*:

"The Movement expresses its conviction that the aforementioned legislation is contrary to international law and to the norms and principles governing peaceful and friendly relations among nations. The enactment of the Bill is a blatant violation of the inalienable sovereignty of all States, as it attempts to impose the United States law extraterritorially on the international community. The Non-Aligned Countries remain steadfast in their rejection of actions of this nature against any of its members as reiterated by the Heads of State or Government at the Eleventh Summit held in Cartagena, Colombia."

The general debate in the General Assembly has confirmed the international community's rejection of the laws enacted by the United States. Some heads of delegation have expressed their opinion on those laws in a very frank manner. These included the Prime Minister of Malaysia, who said in his statement before the General Assembly on 27 September 1996,

"Even as we are asked to submit to GATT rules and the WTO, we find one country blatantly undermining the WTO by enacting extraterritorial laws that must be submitted to by all nations and their companies on pain of excommunication." *(Official Records of the General Assembly, Fifty-first Session, Plenary Meetings, 12th meeting, p. 9)*

Mr. Hervé de Charette, Minister for Foreign Affairs of France, offered the point of view of France and Europe on the United States law in clear terms. In his statement before the Assembly on 25 September 1996, he said that

"Since 1945, international trade has been a powerful growth factor, contributing to a large extent to the expansion of the industrialized economies and to the success of so-called emerging countries. But here too we must have rules of the game, acknowledged at the world level, so as to develop and regulate trade, ensure that it is fair and prevent unilateral conduct.

"I should like to mention here the dangers of unilateralism. Unilateralism: behind this technocratic word lurks the temptation to impose the law of the strongest at the expense of dialogue and negotiation.

"France and Europe cannot accept that one country, even if it is the most powerful, attempt to regulate world trade by itself by means of decisions that have extraterritorial scope. The World Trade Organization does not allow it, and no one should doubt the firmness of French and European reactions were such measures actually to be implemented." *(Official Records of the General Assembly, Fifty-first Session, Plenary Meetings, 8th meeting, p. 21)*

Just as clear were the words of the Deputy Prime Minister and Minister for Foreign Affairs of Ireland on the same law in the memorandum attached to his statement before the General Assembly on 24 September 1996:

"The European Union is deeply concerned about the extraterritorial elements contained in the recent legislation adopted by the United States concerning Cuba, Iran and Libya. The European Union reaffirms its right and intention to react in defence of its interest against the possible extraterritorial effects of this legislation."

The United States has circulated a paper full of misconceptions to justify its request to delegations not to support the draft resolution submitted by the Jamahiriya under this item. The United States affirms that, with the D'Amato law, it aims to put pressure on the Jamahiriya to respond to Security Council resolutions, including the call on Libya to surrender the two Libyan citizens suspected of involvement in the bombing of the Pan Am flight for trial. The United States also maintains that the law will help to deprive both the Jamahiriya and Iran from a source of income which, it claims, could be used to finance international terrorism and obtain weapons of mass destruction.

It is well known that the Jamahiriya has never objected to the trial of the two persons suspected of involvement in the explosion of the Pan Am flight. I do not want to go into the details of this problem here, but

I would like to state, in brief, that the Jamahiriya has, from the beginning, taken steps for the trial of the two suspects, based on the provisions of the 1971 Montreal Convention. However, the United States and its partner, the United Kingdom, which are both parties to this Convention, have impeded the trial for lack of cooperation with the Jamahiriya. The Jamahiriya has proposed numerous initiatives to hold the trial, but the two partners have frustrated all these initiatives. Now, we have the initiative of the League of Arab States for the two suspects to be tried at the International Court of Justice at The Hague in accordance with Scottish law and by Scottish judges. The only impediment to the implementation of this initiative is the objection of the two partners. They should give the Security Council a chance to discuss the initiative of the League of Arab States to put an end to this problem and, in turn, the suffering of a whole people who have borne the brunt of the sanctions for five years. The dispute over the venue of the trial of two persons suspected of involvement in the Lockerbie incident — and I repeat "suspected" because it is not yet proven — should not be lengthened. Rather, the Council should put an end to the suffering of the victims' families, which has been prolonged by the persistence of their countries and the use of their tragedy for political purposes, aimed at bringing a country to its knees, even though it refuses to kneel.

As for the claim that the law aims to deprive the Jamahiriya of a source of income that might be used to finance terrorism, once again I do not want to go into the details of our position on terrorism and our various initiatives contained in United Nations resolutions. We would like to reaffirm that our hand is extended for cooperation in combating this phenomenon, since we have been its foremost victims. The persistent repetition of this accusation automatically and bluntly will not serve any useful purpose.

If the wild imagination of the United States has convinced it that there are Libyan efforts to manufacture weapons of mass destruction, and that by this law the United States wants to obstruct these efforts out of concern for the non-proliferation of these weapons, then we request that it ask the Security Council to establish a commission to inspect all countries of the region, including Israel. This would be acceptable provided that any kind of weapon of mass destruction found in any country be destroyed. The world would then be sure which country obtains weapons of mass destruction and which country encourages and supports it.

Further, the United States paper circulated to delegations here added another allegation, namely that Libya's conduct directly threatens the United States' national security and is thus a clear threat to the international community. This is an over-exaggeration in every way. Granted, the United States is a major Power which plays a big role on the international scene, but it is not the international community. So let us see who threatens the national security of the other.

We have no hostility towards the United States or its people. It is the other way round. We have not frozen United States assets. We have not prohibited any commercial dealings with the United States. But it did all of this to us in 1986. We did not use bombers to attack United States cities and never killed defenceless civilians. It is the United States that hit Tripoli and Benghazi and bombed them in 1986, killing defenceless civilians in their sleep in the dark of night. We hatch no plots against the United States and its leadership. But the United States does against Libya. We have not come to the United States' coasts with our fleets and our forces. It is the United States which does that. Which of us, then, jeopardizes the national security of the other, we or the United States? Is it our conduct that threatens international stability and should be changed?

Another misleading assertion in the United States document is that the new law adds flexibility to the implementation of United Nations policy. That may be true within the United States, but it greatly confuses the international community because it implies that whenever a member of that community wishes to trade with another member, it should first consult with the United States to find out exactly what can and cannot be done. Is that the flexibility that the United States document refers to? If the document is not referring to trade, what is it referring to? We are not alone in thinking that the United States document refers to free trade: that is the perception of the entire international community, of which we are a member. There is already creeping confusion in trade relations because of the measures that the European Union had to take to confront United States legislation against Cuba.

This is not the first time the United States has enacted laws that contradict the principles of international law. But this time the action is more serious, and greater in magnitude and scope. In January 1981, the United States Government imposed comprehensive sanctions against the Jamahiriya, froze Libyan assets, prohibited all commercial and financial dealings with Libya and

prevented Libyan students from pursuing scientific studies. It also enacted laws imposing coercive economic measures against Cuba and Iran. A quick review of United States relations with other countries shows that most have been subjected to similar coercive policies as a means of political and economic compulsion.

In introducing this item, the Jamahiriya is not trying to divert attention from any issue, as the United States document claims. The Jamahiriya is aware of all its international commitments, adheres to the rules of international law and eagerly supports the implementation of the principles and purposes of the United Nations. Libya is not in confrontation with the international community, as the United States document tries to depict. It is the United States itself which is in confrontation with the international community. It is the United States which has violated the law of nations by enacting an extraterritorial law and imposing sanctions on foreign companies and persons that, now and in the future, work and invest in the Jamahiriya, Iran and Cuba. The international community has unambiguously rejected those laws.

The Jamahiriya is not in confrontation with the international community, even with regard to the Lockerbie incident. It has met all the requirements of Security Council resolutions. The only thing remaining to be done is to try the two suspects in the manner I referred to earlier. Libya's highly flexible positions have received the support of the League of Arab States, the Organization of African Unity, the Non-Aligned Movement, the Organization of the Islamic Conference and a majority of the members of the Security Council. The fact that the United States managed somehow to get the Security Council to adopt those resolutions does not mean that the Jamahiriya is in confrontation with the international community. That scenario is a common one here in these times.

Enactment of the law is a unilateral action taken by the United States in isolation from the international community. It is directed, in the first instance, against countries with vital interests in the Jamahiriya and Iran, and it damages the vital interests of any country that would like to enter those markets in the future. That confirms categorically that the United States acted alone in order to present the international community with a *fait accompli*. This belies its claim that it prefers multilateral action. If it really did, it would have listened to the universal voice of reason when the law was still a bill, and would have heeded the early warnings of the European Union.

The coercive economic measures and extraterritorial laws adopted by the United States of America are in violation of the principles of the United Nations Charter, the norms of international law, the Charter of Economic Rights and Duties of States and the rules of the World Trade Organization. They gravely harm the economies of developing countries and the vital interests of many developed countries, and have been rejected by the entire international community. Those measures and laws should be rejected by the General Assembly in direct and clear terms in order to forestall the chaos and economic devastation that those measures and laws will cause throughout world.

We must tell the United States with one unhesitating voice that this is a grave mistake and it should be corrected. The United States does not have sovereignty over other States, and that the international community has not given it a mandate to regulate world trade unilaterally. That is exactly what the Jamahiriya wanted when it requested the inclusion of this additional item on the agenda of the General Assembly, and that is what is reflected in the draft resolution contained in document A/51/L.23.

The draft resolution has nothing to the do with the sanctions imposed by the Security Council on the Jamahiriya. Rather, it focuses on the unilateral laws enacted by a certain State imposing sanctions on other countries and their nationals. This is made clear in paragraph 2 of the draft resolution, which does not single out any State or incident, but rather calls for the repeal of such measures, regardless of whether the State that enacted them is developed or developing, large or small.

The draft resolution does not attempt to defend any special interest, but seeks rather to defend the interests of a large sector of developed and developing countries. It attempts to defend the general interests of the international community. It speaks of principles, not details. It aims to protect us against the turbulence and chaos that could soon be caused by extraterritorial laws enacted unilaterally to impose coercive economic measures. The draft resolution attempts to confront the unilateral decisions that have begun to jeopardize the international community in many areas. To deny that would be to deny facts and the provisions of the draft resolution before the Assembly.

The text before us is not a draft resolution for Libya. It is a draft resolution for the international community and must enjoy full support lest we find

ourselves saying, as in the fable, that we were devoured on the day the white bull was devoured.

Mr. Bohayevsky (Ukraine): As we all know well, the inadmissibility of the use or the encouragement of the use of economic or any other coercive measures inconsistent with the purposes of the United Nations as a means of political and economic compulsion is enshrined in the basic documents of this Organization, primarily in the Charter, the Charter of Economic Rights and Duties of States and a number of resolutions of the General Assembly.

In spite of the fact that resort to unilateral measures of economic compulsion not sanctioned by the world community for the purpose of gaining political dividends has been repeatedly deplored in the highest international forums, including those held under United Nations auspices, we note with regret that this practice remains in the political arsenals of some States, which use it to interfere in the internal affairs of other States and, in certain situations, for so-called material support of direct territorial claims.

That is why our delegation strongly believes that this problem should not be treated as relating exclusively to the developing countries. It is similarly acute for the new sovereign States that are experiencing today a complicated and sometimes very painful period of achieving self-determination and establishing their own models of national development.

This process is accompanied by objective economic difficulties caused by the specifics of the transition to a market-based economy. It is quite obvious that during this period these countries are becoming particularly vulnerable to measures of external economic compulsion on the part of more economically powerful States, especially those with which the countries in transition have strong economic and political ties. In our view, the ideological basis and the source of such policies with regard to new independent States is the reluctance of certain political circles to reckon with the objective course of history and the realities of today.

On behalf of my delegation let me avail myself of this opportunity to emphasize once again that this policy has no prospects and endangers the peace and stability of the relevant countries and regions. We therefore call for the unconditional and complete exclusion of measures of economic compulsion from the arsenals of the foreign policy of all States, regardless of whether they are large or small. In this context, it is especially important that all States remain committed to the obligations they enter into under specific agreements at the multilateral, regional, subregional and bilateral levels.

Now more than ever — when new forms of international cooperation are emerging and when there is a marked increase in globalization and in the interrelation of economic activities, liberalization of trade, active cooperation in the field of science and technology, and the flow of finances and services — it is necessary to end the use of economic relations for the purpose of political and economic compulsion. And therefore there is an urgent need to create an effective mechanism within the United Nations system that would adequately address the emerging problems which so far have not been faced either by individual States or by the world community as a whole.

Unfortunately, the existing practice shows that the positive influence of international trade and economic relations on the prospects of peace and security cannot be taken as absolute, for we can recall many examples of confrontations, including military ones, between economically interdependent States. As is well known, external economic dependence has a critical level and limit beyond which States may begin to lose their sovereignty.

Under its mandate, the Economic and Social Council, which bears the main responsibility for the coordination of international cooperation in the social and economic spheres, has no way of effectively intervening in the new global problems of the world's economic development. Again, we are of the view that Article 65 of the United Nations Charter, on the need for close cooperation between the Economic and Social Council and the Security Council has not been fully realized. Therefore, what we need today is the establishment of an appropriate mechanism within the United Nations system that would protect the economic sovereignty of Member States.

In our opinion, the first step towards this goal, as we have had an opportunity to state earlier before this body, could be the implementation of the proposal to create a council for economic security which was made by the President of Ukraine, Leonid Kuchma, at the Special Commemorative Meeting of the General Assembly on the occasion of the fiftieth anniversary of the United Nations. We invite all Member States to exchange views on this proposal, which could be a good starting point for elaborating an appropriate mechanism.

As we see it, such a council could play the role of "nerve centre", taking the most important decisions with regard to the provision of operational needs and undertaking complex consideration of issues related to the economic security of countries and even whole regions. In such a capacity, the economic security council — as the proposed body could be named — would contribute substantially to the observance of the fundamental principles of respect for national independence, non-interference in internal affairs, and the elimination for all time of the use of economic measures as a means of political and economic compulsion.

The United Nations has made many efforts to establish a new economic order. Much still has to be done if we seek a really new economic order, which cannot be separated from the goal of strengthening the economic security of each Member State, and if we want to ensure the further implementation of the purposes and principles of the United Nations Charter and of the Charter of Economic Rights and Duties of States.

Mr. Kharrazi (Islamic Republic of Iran): I believe the initiative taken by the delegation of the Socialist People's Libyan Arab Jamahiriya to propose to the General Assembly the adoption of a draft resolution entitled "Elimination of coercive economic measures as a means of political and economic compulsion" is a timely one. It allows us to address the issue of unilateral extraterritorial measures in a comprehensive and objective fashion.

The impermissibility under international law of unilateral sanctions is uniformly recognized by the international community. The adoption of coercive economic measures lies only within the mandate of the United Nations in particular situations where there exists a threat to peace or a breach of peace. Moreover, several relevant principles set forth in the Charter of the United Nations provide a solid basis for the Organization to offset the use of unilateral sanctions by individual States.

According to General Assembly resolutions, unilateral coercive measures violate the principles of non-intervention and non-interference in the internal and external affairs of other States, as well as in the exercise of the sovereign rights of States. In this regard, both the Declaration on the Inadmissibility of Interference in the Internal Affairs of States and the Protection of their Independence and Sovereignty, adopted on 21 December 1965, and the Charter of Economic Rights and Duties of States, adopted on 12 December 1974, stipulate that

> "No State may use or encourage the use of economic, political or any other type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights." *(resolution 3281 (XXIX), art. 32)*

The Declaration on the Inadmissibility of Intervention in the Domestic Affairs of States and the Protection of Their Independence and Sovereignty goes on to say that such measures also cannot be used to "secure advantages of any kind" from another States *(resolution 2131 (XX), para. 2)*

Furthermore, the General Assembly has denounced on various occasions unilateral economic coercion as a means of achieving political goals. Resolutions entitled "Economic measures as a means of political and economic coercion against developing countries", adopted at the forty-fourth and fiftieth sessions of the General Assembly, is a prominent example of a series of United Nations reactions to such unlawful actions.

The imposition of coercive economic measures and the approval of domestic legislation for the horizontal escalation of such actions with extraterritorial implications also contradicts established international trade law, including the regulations of the World Trade Organization.

The United States of America imposed various forms of economic coercive measures against 79 foreign countries between 1979 and 1992. This is a statistic which indicates that the United States resorts to such unilateral measures more than any other State by a wide margin. Such unilateral United States measures have recently taken on dangerous dimensions. The enactment by the United States of new laws which contravene the principle of the territoriality of national laws significantly affects the sovereignty of other States and the legitimate interests of companies and persons falling under their jurisdiction. Recent unilateral sanctions by the United States against third parties investing in or doing business with Cuba, Libya and Iran are the most prominent in this category.

A series of formal sanctions have been imposed or reimposed by the United States on the Islamic Republic of Iran in the 1980s and 1990s, including most of the sanctions that had been revoked under the declaration signed between the two countries in 1981. During this period, Iran's efforts to promote peace and security in the region and its endeavours to enhance economic and social

development at the national and regional levels invariably faced overt and covert United States sabotage. The United States does not cease its efforts to try to persuade others to adopt similar measures against Iran, mostly through concocting a number of baseless allegations to justify its imposition of unilateral actions.

Fortunately, the international community has demonstrated its responsibility and sobriety by standing firm in rejecting the extraterritorial application of domestic United States legislation. The European Union deemed the extraterritorial application of United States legislation to be without any basis in international law. At its 20 November 1996 meeting, the World Trade Organization's Dispute Settlement Body decided, at the request of the European Union, to establish a special panel of experts to examine the compatibility of recent United States acts against Cuba with the norms governing that Organization and with several provisions of the General Agreement on Tariffs and Trade.

At their annual meetings in 1996, foreign ministers both of the Non-Aligned Movement and of the Group of 77 called for the immediate elimination of all forms of coercive economic measures with negative, extraterritorial impact on the development of developing countries and which undermine the principles enshrined in the Charter of the United Nations, the principles of international law and the free flow of trade and investment. The recent ministerial meeting of the Organization of the Islamic Conference adopted similar positions.

It is also worth mentioning that the consideration of this crucial issue by all the recent major international conferences and summits is a manifest illustration of its multidimensional character, which adversely affects all countries and the world economy as a whole.

To conclude, while my delegation believes that the draft resolution before us (A/51/L.23) could be improved substantially, we call upon Member States to adopt it unanimously. In so doing they will demonstrate to the outside world the continued commitment and efforts of the international community, vis-à-vis the realization of the goals and principles enshrined in the Charter of the United Nations.

Mr. Hasan (Iraq) (*interpretation from Arabic*): I should like to say first how deeply grateful we are to the sisterly delegation of the Libyan Arab Jamahiriya for having taking the initiative to include this important item on the agenda.

The increasing use of coercive economic measures as a means of economic and political compulsion has led to an increase of tension in international economic and political relations, which poses a threat to international peace. Article 1 of the Charter of the United Nations states that one of the purposes of the United Nations is to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples. According to the Charter, the General Assembly must discharge certain essential duties, including the promotion of international economic cooperation, and cooperation in the social, cultural, educational and health fields. It must also promote respect for the human rights and fundamental freedoms for the whole of mankind.

In the light of these responsibilities, the General Assembly must consider any measures taken which contravene these principles and study means to redress them. Experience has shown that coercive economic measures are an odious means which will never convince people to give up their inalienable right to make their own economic, political and social choices. However, this weapon has unfortunately proven to be effective. The results of this are the suffering of innocent civilians, the halt of economic development in the target country — and to a lesser extent among its international trading partners — and economic and political instability.

The use of this weapon is also a violation of the principles of the Charter of the United Nations and of international law. These include the sovereign equality of States, non-interference in the internal affairs of States, the right of people to choose their own economic and political regimes, and the right to development and to participate in international economic relations on the basis of mutual interests.

These coercive economic measure, whether imposed unilaterally by a given State or through influencing multilateral institutions, are backed up by a policy which leads to nothing. I point out that States that resort to coercive economic measures as a means of political and economic compulsion are trying to find a way to legitimize their policies by having such measures imposed by multilateral international agencies. This is the case of Iraq. This is now the case of Cuba, as attempts are under way to impose a multilateral sanctions regime.

Furthermore, section 4 of the D'Amato law, entitled "Multilateral Regime", provides for the integration of coercive economic measures into multilateral systems.

Contradictory trends have been emerging at an increased rate in today's world. On the one hand, the international community and the absolute majority of States Members of this international Organization are trying to ensure the primacy of law and to build a world characterized by justice, prosperity and equality of rights. On the other hand, a minority, impelled by a desire for hegemony and a thirst for power, believe themselves above the law. This minority does not hesitate to use all possible means to serve their own interests. The majority must therefore tell the minority that this is not the right path. The draft resolution introduced by the Libyan Arab Jamahiriya is an attempt to do this.

Coercive economic measures imposed on Iraq have prevented our country from making a contribution to the Organization; as a result, we have lost our right to vote. Had this not been the case, we would have voted in favour of this draft resolution, entitled "Elimination of coercive economic measures as a means of political and economic compulsion", which appears in document A/51/L.23.

Mr. Núñez Mosquera (Cuba) (*interpretation from Spanish*): Cuba's position on unilateral coercive economic measures against developing countries is widely known, as is the view of the international community, as expressed in numerous international instruments and resolutions of the General Assembly.

Although it has been said euphemistically that the cold war is now over, we are still living amid an international order in which the major economic and political Power, taking advantage of its predominant position, is continuing unilaterally to apply coercive economic measures against developing countries — not because of the danger these countries pose to the national security of that Power, as is usually alleged, but because of its manifest intent to impose upon those countries certain of its foreign policy objectives.

Although this fact is well known, it must be reiterated: the imposition of these kinds of measures by one country against another is a clear violation of international law and seriously damages the principles of sovereign equality, non-intervention and non-interference in the internal affairs of States. Moreover, the unilateral application of these measures contravenes the purposes and principles of the Charter of the United Nations and other international instruments governing relations among States, such as the Declaration on the Inadmissibility of Intervention in the Domestic Affairs of States and the Protection of their Independence and Sovereignty, and the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations.

In both Declarations, the international community recognized that no State has the right to intervene, directly or indirectly, for any reason whatever, in the internal or external affairs of any other State, and that no State may use or encourage the use of economic, political or any other type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights or to secure from it advantages of any kind.

The application of the kind of measures referred to in the draft resolution introduced today by the delegation of the Libyan Arab Jamahiriya not only represents an attack on the identity of the State concerned and on its political, economic and cultural elements, but also affects other sensitive areas such as the ability of the peoples suffering from those unilateral policies fully to enjoy their human rights.

In this connection, the Commission on Human Rights itself has determined that the application of unilateral coercive economic measures has a negative impact on social and humanitarian indicators in developing countries, and prevents the peoples subjected to such measures from fully enjoying their rights.

Moreover, the Commission on Human Rights Working Group of Governmental Experts on the Right to Development described the application of coercive measures as a stumbling block to the application of the right to development.

Furthermore, pursuant to resolution 1994/47 of the Commission on Human Rights, the Secretary-General informed that body, in his report contained in document E/CN.4/1995/43, that application of unilateral coercive measures is incompatible with the principle of international cooperation, has an adverse impact on the economies of developing countries suffering under the measures and constitutes a serious violation of the human rights of the individuals, groups and peoples affected.

General Assembly resolutions 44/215, 46/210, 48/168 and 50/96, on economic measures as a means of political and economic coercion against developing countries, also show that most States Members of the United Nations reject the application of unilateral measures.

It is therefore the view of the delegation of Cuba that States Members of the United Nations should be deeply concerned at the fact that one of them persists in the unilateral application of such measures, thereby contravening, deliberately and repeatedly, the aforementioned international principles, norms and instruments.

This concern should be all the greater in view of what appears to be a new set of coercive economic measures, applied by that same Member State and directed against not only the political and economic stability of the country affected but also against the sovereignty of third States.

The United States' promulgation of laws such as the Iran and Libya Sanctions Act of 1996, whose extraterritoriality has already elicited broad international reaction, as was seen in the Assembly's general debate on this issue, seems to be ushering in an era in which attempts are being made to rule the world from the Capitol in Washington.

Passage of the so-called D'Amato-Kennedy Act, which would impose sanctions on foreign investors in Iraq and Libya, regardless of their nationality or of the jurisdiction of the companies they may work for, for the purpose of preventing those countries from continuing to develop their oil industry, is bereft of any moral or legal justification, both in respect of its political motivations and of the means decided upon to enforce this whim of the United States Congress.

On the threshold of the new millennium, the emergence of unilateral coercive measures of an extraterritorial nature, entails yet another serious danger in the context of our increasingly interdependent world. The risks posed by a country — no matter how powerful it may be — in unilaterally reserving the right to undermine the discipline of multilateral trade, which was recently brought about with the completion of the Uruguay Round and the emergence of the World Trade Organization, for reasons totally alien to trade issues, must be confronted appropriately and resisted by the international community. The impact of those policies on the lives of the more vulnerable peoples and sectors of the populations in the countries suffering from the policies must not be overlooked and ignored by this Organization.

For all of these reasons, Cuba will vote in favour of the draft resolution contained in document A/51/L.23.

The Acting President: We shall now proceed to consider draft resolution A/51/L.23.

I shall now call on those representatives who wish to speak in explanation of vote before the voting. May I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Mr. Hoey (Ireland): The European Union wishes to take this opportunity to reiterate its rejection of attempts to apply national legislation on an extraterritorial basis. We have also rejected attempts by any country to coerce others into complying with unilateral commercial measures. We stress that international coercive measures can be imposed on States only by, and under the authority of, the Security Council, in accordance with Article 41 of the United Nations Charter.

In this regard, we wish to mention the legislation that provides for the application of legal sanctions to companies and individuals outside its national jurisdiction, including provisions designed to discourage third country companies from trading with or investing in specific countries. Measures of this type violate the general principles of international law and the sovereignty of independent States.

The European Union reaffirms its right to react as it deems appropriate to any extraterritorial measures that appear to contravene international law. The European Union must, however, make a firm and unmistakable distinction between measures imposed unilaterally by individual States and those that are undertaken with the full authority of the Security Council, and in conformity with the Charter of the United Nations. The European Union has accordingly concluded that it is unable to support the draft text and will abstain in the vote that is about to be taken.

Mr. Çelem (Turkey): The vote to be cast by Turkey on draft resolution A/51/L.23 does not relate in any way to any position or policy adopted or pursued by the country presenting it. Our vote should not be construed as expressing any approval or endorsement of such a position or policy of the country submitting the draft resolution. Turkey is basing its vote only on its opposition to the practice of extraterritoriality — in other words, any practice that extends the application of a country's legislation outside its jurisdiction. The application of extraterritorial measures not only runs counter to international law but also has a negative

impact on the economic interests of third countries and on the free flow of international trade.

In the view of my delegation, coercive economic measures can be imposed only by the United Nations in conformity with its Charter. Our vote in favour of the draft resolution before us simply reflects these considerations.

Mr. Gnehm (United States of America): The Government of Libya, which for years has victimized others with its financial and material support for international terrorism, now comes before the General Assembly seeking to portray itself as a victim of international sanctions. Clearly, its aim is to decrease the pressure brought to bear upon it by the community of nations for its unacceptable behaviour. We need to keep this broader context in mind as we consider Libya's draft resolution A/51/L.23 on "Elimination of coercive economic measures as a means of political and economic compulsion".

Libya would have United Nations Member States believe that this draft resolution is about free trade and the right of States to choose their own models of economic development. It is not. It is aimed at distracting attention from Libya's obstinate refusal to comply with its obligations under Security Council resolutions 731 (1992), 748 (1992) and 883 (1993). These resolutions were imposed because of Libya's involvement in two terrorist bombings of civilian aircraft — Pan Am flight 103 and UTA flight 772 — and its continued support for international terrorism.

By introducing this draft resolution, Libya seeks to break out of the international isolation imposed by the world community and to lend some legitimacy to its campaign to end terrorism-related sanctions, including those imposed by the Security Council. These sanctions, most recently reviewed this month, have been left in place without change through 14 consecutive reviews. Libya must not be encouraged to believe that anything less than full compliance with Security Council resolutions can end its confrontation with the international community.

We believe it would be wrong for the General Assembly to reward Libya's continuing defiance of the United Nations by supporting this draft resolution. For that reason, the United States will be voting against the draft resolution, and we urge others to do the same.

The Acting President: We have heard the last speaker in explanation of vote before the vote.

The Assembly will now take a decision on draft resolution A/51/L.23.

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Algeria, Angola, Benin, Botswana, Burkina Faso, Burundi, Cambodia, Cameroon, China, Colombia, Comoros, Cuba, Democratic People's Republic of Korea, Djibouti, Egypt, Ghana, Guinea, Guinea-Bissau, Guyana, India, Indonesia, Iran (Islamic Republic of), Jordan, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Mali, Mauritania, Mexico, Morocco, Mozambique, Myanmar, Namibia, Niger, Oman, Pakistan, Russian Federation, San Marino, Singapore, Sri Lanka, Sudan, Syrian Arab Republic, Thailand, Tunisia, Turkey, Uganda, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Israel, Micronesia (Federated States of), United States of America, Uzbekistan

Abstaining:

Albania, Andorra, Argentina, Armenia, Australia, Austria, Barbados, Belarus, Belgium, Belize, Bhutan, Bolivia, Bosnia and Herzegovina, Brazil, Brunei Darussalam, Bulgaria, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, Equatorial Guinea, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Hungary, Ireland, Italy, Jamaica, Japan, Kazakstan, Kenya, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mauritius, Monaco, Mongolia, Nepal, Netherlands, New Zealand, Norway, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, Sierra Leone, Slovakia, Slovenia, Solomon Islands, Spain, Suriname, Swaziland, Sweden, Tajikistan, The former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Ukraine, United Kingdom of Great Britain and Northern Ireland

Draft resolution A/51/L.23 was adopted by 56 votes to 4, with 76 abstentions (resolution 51/22).

The Acting President: I shall now call on those representatives who wish to make statements in explanation of vote. I would remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Ms. Hamilton (Australia): My delegation abstained in the voting on draft resolution A/51/L.23 because the draft resolution fails to draw a clear distinction between measures imposed unilaterally by individual States and those measures that are undertaken pursuant to resolutions of the Security Council under the United Nations Charter.

Australia has, in this and other forums, made clear its opposition to national legislation that seeks to impose extraterritorial sanctions, determined unilaterally, on companies and individuals of third countries.

Mr. Powles (New Zealand): New Zealand takes this opportunity to reiterate its long-standing opposition to the application of national legislation on an extraterritorial basis. We regard as completely unacceptable and in violation of international legal principles any attempts by a country to restrict the freedom of companies from a third country to trade with any other State or to invest in another State. New Zealand has already made its position on this issue clear in the General Assembly during this session.

That said, we cannot support any attempt by a country to challenge in the General Assembly sanctions that have been imposed on it under the Charter of the Organization. As measures imposed by the Security Council, these sanctions enjoy full legitimacy and require the support of the membership of the Organization. This distinguishes them clearly from the unilateral, extraterritorial measures just mentioned.

The draft resolution does not make a sufficiently clear distinction between these two concepts. For this reason, New Zealand could not support the draft resolution and therefore abstained in the voting that has just taken place.

Mr. Jansen (Canada): Canada has abstained in the voting on the resolution just adopted by the General Assembly. Canada has always taken a vigorous stand against measures with extraterritorial effect that seek to constrain the freedom of investment and trade of third countries. While the resolution we have just considered calls for the repeal of unilateral, extraterritorial laws that impose sanctions on other States, it fails to make clear the essential distinction between those measures undertaken with the full authority of the Security Council and in conformity with the Charter of the United Nations, and those imposed unilaterally by individual States. As a result, we were not able to lend our support to this text.

Mr. Dlamini (Swaziland): My delegation has opted to abstain, and we want to explain our reason for abstention. This does not mean that we agree that any State has a right to coerce another to achieve its purposes. But in this context, we have opted to live by our policy.

The Kingdom of Swaziland believes in the policy of goodwill, and, accordingly, we shall stand by that policy. But if a younger brother is being hit by another brother, and he seeks refuge with his elder brother, that does not mean that the elder brother has a right to kick the buttocks of the younger brother. And scripturally, we believe that blessed are those who are betrayed when two people are at war.

We in Swaziland believe that whenever certain parties have a contentious issue, we must open our house and listen to both sides and arbitrate. Hence, today we have felt that we should abstain because we are looking for a way in which the parties that may be affected here can eventually live like brothers and like Members of the United Nations. Otherwise, our abstention means no condonation, but it means that we should sit down and talk and become friends and Members of the United Nations.

Mr. De Rojas (Venezuela) (*interpretation from Spanish*): We voted in favour of this resolution because we agree with the main elements it contains.

However, we would have liked to see included in the operative part of the resolution a reference similar to the one in the preambular part relating to the need to promote the development of friendly relations among nations and cooperation in resolving economic and social problems.

We believe that operative paragraph 1 can be understood only in the context of States' full compliance with the commitments they have entered into under the Charter of the United Nations, international law, democratic principles and the Universal Declaration of Human Rights.

Mr. Hajayandi (Burundi) (*interpretation from French*): I shall be very brief. I have asked to speak to

express loudly and clearly my delegation's reasons for voting in favour of this resolution.

First, Burundi is in principle against any measure that unjustly affects the population of any State under whatever pretext. Secondly, I should like to avail myself of this opportunity to remind the international community that my country is suffering from an inhuman, illegal and unjust economic blockade imposed by the neighbouring States under a pretext involving my country's domestic policies — a question that has already become nugatory.

My country believes that it has no lessons in morality or democracy to teach any other State. Like many others, we are involved in trying to find political and democratic stability, and sabotaging us economically will not help us achieve the noble goals of lasting peace and security.

The Acting President: We have heard the last speaker in explanation of vote. May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 159?

It was so decided.

Programme of work

The Acting President: I should like to make an announcement concerning agenda item 21, entitled "Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance".

I should like to inform members that, in view of the number of draft resolutions expected under agenda item 21 and the possible need to go through the consultation process with a view to reaching consensus, the deadline for the submission of draft resolutions under agenda item 21 will be Tuesday, 3 December 1996.

I should also like to remind representatives that, should a draft resolution have programme budget implications, additional time will be needed for the preparation of a statement of the programme budget implications by the Secretary-General. Furthermore, the Advisory Committee on Administrative and Budgetary Questions and the Fifth Committee will need adequate time to review the programme budget implications of the draft resolution before the latter can be acted on by the Assembly.

I therefore urge members intending to submit draft resolutions under agenda item 21 but that have not yet done so to submit them as soon as possible, and, in any case, not later than the deadline of 3 December 1996.

The meeting rose at 12.40 p.m.